

THE BREWERIES  
AND  
TEXAS POLITICS  
—  
Vol. I.

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# THE BREWERS AND TEXAS POLITICS

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VOL. I

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# P R E F A C E

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On Jan. 9, 1915, Hon. B. F. Looney, Attorney General of the State of Texas, filed suit in the District Court of Hopkins County, at Sulphur Springs, against seven breweries of Texas, as follows: The San Antonio Brewing Association, San Antonio, Texas; The Lone Star Brewing Company, San Antonio, Texas; The Houston Ice and Brewing Company, Houston, Texas; The American Brewing Association, Houston, Texas; The Galveston Brewing Company, Galveston, Texas; The Dallas Brewery, Dallas, Texas, and The Texas Brewing Company, Fort Worth, Texas. These concerns were incorporated under the laws of the State for the manufacture and sale of beer and ice. The Attorney General in his petition alleged violations by the defendants of the anti-trust laws of the State and the use of their corporate means and assets in politics and elections in violation of both the general statutes governing corporations (such use of their means and assets being beyond their charter powers) and specific statutes as well as the Constitution directly prohibiting such use of their means, assets and franchises.

The cases came to trial at Sulphur Springs on Jan. 24, 1916, after a great mass of evidence had been procured by the Attorney General and his assistants, and after much labor and expense in preparing the cases for trial. The evidence consisted mainly of letters, telegrams, documents, etc., written by and to the various brewing corporations both in and out of the State. However, there were some oral depositions of the brewers taken and introduced. The defendants in effect pleaded guilty to the charges brought and accepted a fine aggregating the sum of Two Hundred and Eighty-one Thousand Dollars together with expenses incurred by the Attorney General and court costs amounting to about Eight Thousand Dollars, also agreeing that their charters be forfeited, with the exception of the Houston Ice and Brewing Company, which had been theretofore voluntarily dissolved. The last named company did, however, participate in the payment of the fine and acknowledged its guilt along with the other defendants, as will be seen by a reading of the decrees copied in full in this volume.

The Attorney General made it known that no agreed settlement would be even considered unless a trial of the cases was had and the evidence read in open court and then placed on file to become a public record and privileged matter; and this course was pursued and the evidence is now to be found in the vault of the District Clerk at Sulphur Springs.

The portion of this evidence showing participation by the breweries



and liquor interests in politics and elections is deemed of so much importance to the public that it has been decided to publish it in book form. This volume contains practically all of the evidence introduced. It is divided into nine parts, to-wit:

1st. THE PETITION: This contains in full the allegations of the Attorney General with reference to participation in politics and elections on the part of the defendants.

2nd. FUNDS: This division shows how the money was raised by the breweries and liquor people, and contains many communications and book entries.

3d. POLL TAXES: Manifestly the breweries were interested in poll taxes, as one cannot vote without a poll tax receipt. This section makes clear how they handled the poll tax problem.

4th. LEGISLATION: Armed with funds and poll tax receipts, legislation and elections could be shaped and controlled. This evidence elucidates the brewery methods of handling the legislative branch of our Government.

5th. LOCAL OPTION—GENERAL: Showing a general system of participation in and controlling local option elections.

6th. LOCAL OPTION—BY COUNTIES: This chapter of the book takes up each county in alphabetical order and quotes the evidence under each county. The letters are arranged under the county in chronological order, covering a period of from one to ten or fifteen years in each instance.

7th. GENERAL: There were a great number of letters in the record that could not be classified under the heads above set out, and these are given in full and denominated "General."

8th. ORAL TESTIMONY OF BREWERS: The brewers testified orally and their testimony is given under this division.

9th. JUDGMENTS OF THE COURT: There were three separate judgments entered, five of the breweries pleading guilty as a consolidated case, and two breweries taking separate judgments. The judgments are copied verbatim.

The reference given after quoted letters, etc., shows the volume and page of the original record where same may be found.

This volume is given to the public with a hope that the people may take such action in the future as the information disclosed herein may warrant.

San Antonio, Texas,  
March 27, 1916.

## PART ONE—THE PETITION

On Jan. 9, 1915, a separate petition was filed in each of the seven cases, and subsequently an amended petition was filed. As all the petitions are substantially the same, only one is copied here, that of the case of State vs. San Antonio Brewing Association, which is as follows, omitting some of the allegations with reference to anti-trust violations:

No. 5169.

State of Texas

vs.

San Antonio Brewing Association.

To Hon. Wm. Pierson, Judge of said Court:

In the District Court of  
Hopkins County, Texas,  
Eighth Judicial District.

Comes now the State of Texas, ex relatione B. F. Looney, Attorney General of Texas, and his associates, and the State of Texas by and through B. F. Looney, Attorney General of Texas, and, in vacation, files this its FIRST AMENDED PETITION and INFORMATION in the above styled and numbered cause, in lieu of its ORIGINAL PETITION and INFORMATION filed therein heretofore on the 9th day of January, 1915, the defendant having been notified of the filing hereof and having been furnished with a true copy hereof heretofore on the 11th day of August, 1915, and for such FIRST AMENDED PETITION and INFORMATION says:

## SUBDIVISION No. 1.

The defendant is a private corporation organized, existing and doing business within the State under and by virtue of a charter granted to it under the laws of this State on or about the 29th day of November, A. D. 1901, the purpose for which defendant was so chartered, as stated in said charter, being as follows:

"The manufacture and sale of beer, malt and ice," etc.

The defendant's principal place of business and office is in the City of San Antonio, Bexar County, Texas, and it has various officers and agents in said city and county, amongst others O. Wahrmond, its president, upon whom citation may be served herein for defendant.

And the defendant from the time of the granting of such charter has been engaged in such business and in the other business hereinafter described in this Petition and Information, and is still so engaged.

## SUBDIVISION NO. 2.

Petitioner shows unto the Court that each and all of the general conspiracies, schemes and interests—hereinafter more fully described—have been by defendant and the other parties thereto, in the various ways and manners and through the instrumentalities hereinafter fully described, at various times throughout the period of defendant's corporate existence, carried out and performed, in part, in Hopkins County, Texas, and will in the future so be carried out and performed



there unless the relief herein prayed for is granted, and pursuant thereunto and as a part thereof, and by the use of such instrumentalities, the defendant, together with such other parties, has used its corporate franchises, funds, means and assets for the doing of the unlawful acts and things herein alleged in said county in attempts to affect, influence or control the results of elections in said county, and in attempts to accomplish other unlawful purposes there such as are alleged hereinafter, and in so doing the defendant has constantly, in said county, violated its contracts with the State of Texas and has there abused and misused its franchises, funds, means and assets in violation of the law and public policy, for the doing of all of which, in said county, as well as elsewhere, together with the other matters set forth hereinafter, this petition is presented and the relief hereinafter described is prayed for.

#### SUBDIVISION NO. 2a.

Explanatory of the legal grounds upon which this petition is based, and of the reasons why it is presented, and of the reasons why the Court, or Judge thereof, should permit the same to be filed, petitioner represents unto the Court as follows, to-wit:

1. In order to prevent the Legislature from granting to one corporation special powers and privileges not conferred upon other corporations, and in order to secure uniformity of application of general rules of law to all corporations alike, the Constitution of Texas, in Sec. 1, of Art. 12, provides:

"No private corporation shall be created by general laws."

In order that no private corporation might use the special powers and privileges conferred upon it to inflict injuries upon the public, the Constitution of Texas, in Sec. 2, Art 12, commands the Legislature to provide by general laws:

"For the adequate protection of the public \* \* \*"

By Sec. 22, Art. 4, the Constitution of Texas makes it the duty of the Attorney General of Texas to:

"Specially inquire into the charter rights of all private corporations, and from time to time, in the name of the State, (to) take such action in the courts as may be proper and necessary to prevent any private corporation from exercising any power \* \* \* not authorized by law (and) \* \* \* whenever sufficient cause exists (to) seek a judicial forfeiture of such charters."

In Sec. 2, Art 16, the Constitution of Texas declares that:

"The privilege of free suffrage shall be protected by laws regulating elections and prohibit under adequate penalties all undue influence therein from power, bribery, tumult or other improper practice."

In Sec. 4, Art 6, of the Constitution of Texas, the Legislature of Texas is charged with the duty to make such:

"regulations as may be necessary to detect and punish fraud and preserve the purity of the ballot box."

In Sec. 2, of Art 1, of the Constitution it is said:

"The Legislature may impose a poll tax."

And in Sec. 2, of Article VI, of the Constitution, prescribing the qualifications, etc., of voters, it is said:

"Any voter who is subject to pay a poll tax under the laws of the State of Texas shall have paid said tax before he offers to vote at any election in this State and hold a receipt showing his poll tax paid before the first day of February next preceding such election."

In Sec. 26, of Art. 1, of the Constitution, it is declared that:

"Perpetuities and monopolies are contrary to the genius of a free government, and shall never be allowed."

The foregoing provisions express the Constitutional intent:

(1.) That no private corporation shall exercise any power or franchise not conferred upon it by law.

(2.) That no private corporation shall be allowed to exercise the powers and franchises conferred upon it by law in such a manner as to inflict injury upon the public.

(3.) That the purity of the ballot box shall be safeguarded by requiring the good faith payment of poll taxes, and other regulations, and undue influence or other improper practice in elections shall be prevented.

(4.) That no monopoly shall be tolerated, and especially so when created and maintained by the misuse and abuse of corporate franchises, powers and privileges, etc.

2. In obedience to the commands of the foregoing Constitutional provisions, and in order to effectuate the intent thereof, the Legislature of Texas, in the year A. D. 1874, enacted a statute declaring:

"No corporation, domestic or foreign, doing business in this State, shall employ or use its stock, means, assets or other property, directly or indirectly, for any other purpose whatever than to accomplish the legitimate objects of its creation or those permitted by law."

The aforesaid statute, in connection with other provisions and principles of law, being continuously enforced since A. D. 1874, has operated to prohibit to this defendant—under the penalties hereinafter referred to—the direct or indirect use of its "stocks, means, assets or other property" to participate in, control or influence the result of elections, or to accomplish the other things and purposes hereinafter fully set forth.

In further obedience to the aforesaid Constitutional demands, the Legislature of Texas, in A. D. 1907, enacted two statutes, providing respectively as follows:

(1.) "No corporation, domestic or foreign, doing business in the State, shall employ or use its stock, means, assets or other property, directly or indirectly, for any other purpose whatever than to accomplish the legitimate objects of its creation or that permitted by law  
\* \* \* nor shall it directly or indirectly contribute or pay any part of its assets, property or funds to any political party, or to any officer or campaign manager of any political party, or to any person whatsoever, for, or on account of such party, nor to any candidate for any office before or after nominations are made, or to aid in defraying the expense of any candidate for office, or to any person whatsoever for, or on account of aid in maintaining or defraying the ex



penses of any campaign or for political headquarters, or to any person whatsoever for, or on account of the success or defeat of any question to be voted upon by the qualified voters of this State, or any subdivision thereof. Any corporation which violates the provisions of this section shall, on proof thereof in any court of competent jurisdiction, forfeit its permit, license or charter, as the case may be, and all rights and franchises which it holds under, from or by virtue of the laws of this State."

(Acts of 1907, Page 312.)

(2.) "That it shall be unlawful for any National bank, or any other corporation organized by authority of any law of Congress, and doing business in this State, or authorized to do business in this State, or any other corporation organized by the authority of the laws of this State, or of any foreign country, or any corporation authorized by the authority of the laws of any other State of the United States, doing business in this State, or authorized to do business in this State, to make any money contributions, or its equivalent, or to offer to pay at any future time any money, or its equivalent, directly or indirectly, for the purpose of aiding or defeating the election of any candidate for the office of Representative in Congress, or Presidential or Vice Presidential Electors from this State, or any candidate for any State, district, county or precinct office in this State, or the success or defeat of any political measure submitted to a vote of the people of this State."

(3.) "Every corporation which shall make, or offer to make, any contribution in violation of the foregoing provisions shall be subject to a fine or not less than five thousand or more than ten thousand dollars, for each offense," etc.

(Acts of 1907, Page 169.)

The aforesaid statutes, enacted in 1907, in no way operated in repeal or supersede, but, on the contrary, operated to supplement the provisions of the aforesaid statute enacted in 1874.

In the year 1905 the Legislature of Texas, in further obedience to the foregoing Constitutional commands, passed an act prescribing the qualifications of electors and, among other things, requiring the payment of a poll tax and the procuring of a receipt showing such payment, and providing that:

"No one shall knowingly give money to a citizen to pay his poll tax."

In the year 1905, and at different times since that year, the Legislature of Texas, in further obedience to the foregoing Constitutional demands enacted certain statutes, prohibiting, under penalties such as are herein sued for, trusts, monopolies and conspiracies in restraint of trade.

3. Each and all of the foregoing provisions of law are predicated upon certain basic facts and principles evolved from and established by human experience, and of such facts and principles the following may be stated as self-evident, to-wit:

- (1.) A corporation is a creature of the law—and is therefore:
- (2.) An artificial entity—which is:

(3.) Separate and distinct from the personalities of its stockholders, officers, agents and employes, and it therefore:

(4.) Cannot exist and can derive no right to exist except for:

(5.) The valuable special rights, powers, privileges and franchises conferred upon it by law.

These things being true, it follows that the element of **moral responsibility**, which to a marked degree tends to assure proper and lawful conduct upon the part of the **natural man**, is not possessed by a corporation—that is to say, the artificial legal entity—called “corporation,” has:

(a) No intellect to distinguish between **right** and **wrong**.

(b) No heart abounding in proper sentiment to prompt it to do the **right** in preference to the **wrong**.

(c) No soul to be condemned in the hereafter for unrighteous acts, or be rewarded for uprightness.

Therefore—in the case of a corporation organized for profits—if it were unrestricted by law, the dominant purpose of accumulating wealth would substitute itself for the capacity to distinguish between right and wrong and for the desire to do the right instead of the wrong when profit were to be found on the side of wrong.

As a resultant of the foregoing facts and principles the law, having provided for the creation of its artificial entity, together with **sound public policy**, has said what things it would be proper for a corporation to do, and has denied to it the lawful power of doing **all** other things.

Because of these things the law and sound public policy require that no private corporation shall use its means in the doing of any act or for the accomplishment of any purpose not properly within the legitimate objects of its creation, and, with reference to the defendant, not strictly within the purposes announced in Subdivision 14 of Article 1121, R. S., 1911, under which defendant's charter was granted, which provision reads as follows:

“Private corporations may be created by the voluntary association of three or more persons for the purposes and in the manner hereinafter mentioned \* \* \*”

“The transaction of any manufacturing or mining business, and the purchase and sale of such goods, wares and merchandise used for such business.”

The aforesaid provisions of law prohibited the doing by the defendant of the things hereinafter described in express terms, and by necessary implication, and they also announce certain principles of public policy of the State with respect to such things as done by the defendant in contravention of public policy.

### SUBDIVISION NO. 3.

The defendant, and each and all of its stockholders, directors, officers, agents and employes, had actual knowledge of or were charged with notice of the existence and provisions of each and all of the foregoing laws, principles and requirements, and such laws, principles and requirements and such provisions and restrictions of law and of public policy entered into and became and are principles and portions of de-



fendant's aforesaid charter, and defendant, by the acceptance of such charter and by the acceptance and uses of the franchises thereby conferred, agreed and contracted with the State of Texas that it would not violate or misuse or abuse such franchises and would not do the things which it has done as hereinafter set forth, and obedience thereunto became and is a condition upon which defendant's right to retain and use such charter and the powers, privileges and franchises conferred by such charter and the law depend.

But notwithstanding the existence of the aforesaid contract, provisions and principles of law and public policy, and notwithstanding the notice and knowledge thereof had by defendant and its every stockholder, officer, agent and employe, the defendant continuously from the very date of its incorporation has deliberately and intentionally misused and abused the powers, rights, privileges and franchises conferred upon it, and has usurped and exercised powers and franchises not lawfully conferred upon it, and has misused and caused or permitted its officers, agents and employes to misuse "its stocks, means, assets or other property" in contravention of each and all of the aforesaid provisions of law, and of public policy, in the manner, to the extent and for the purposes hereinafter alleged.

#### SUBDIVISION NO. 4.

To aid an adequate understanding of the matters hereinafter presented it is deemed proper to set forth here certain facts and matters of history with respect to the predecessors of the defendant and the other Texas corporations hereinafter mentioned which matters are binding upon such corporations because of the adoption by them of the general policies, etc., thereby disclosed, such matters and facts being as follows, to-wit:

(1.) On or about the 3rd day of July, 1890, a charter was by the State of Texas granted to The Texas Brewing Company (hereinafter called **Old Texas Brewing Company**), authorizing and empowering such corporation to manufacture and sell beer, etc. Such corporation constructed, or acquired, a brewery plant, etc., in the city of Fort Worth, Texas, which plant, as it then existed, was acquired by the present Texas Brewing Company shortly after its incorporation.

(2.) On or about the 5th day of October, 1895, a charter was by the State of Texas granted to the Dallas Brewery (hereinafter called **Old Dallas Brewery**), authorizing such corporation to manufacture and sell beer, etc. Such corporation constructed, or acquired, a brewery plant, etc., in the city of Dallas, Texas, which plant, etc., as it then existed, was acquired by the present Dallas Brewery shortly after its incorporation, and has been owned and operated by the Dallas Brewery since such acquisition.

(3.) On or about the 5th day of November, 1892, a charter was by the State of Texas granted to the Houston Ice and Brewing Company (hereinafter called **Old Houston Ice and Brewing Company**), authorizing and empowering such corporation to manufacture and sell beer, etc. Such corporation constructed, or acquired, a brewery plant, etc., in the city of Houston, Texas, and operated the same and engaged

in the business of the manufacture and sale of beer, etc., up until the time of the forfeiture of such charter, as hereinafter shown. Which plant, etc., as it then existed was acquired by the present Houston Ice and Brewing Company shortly after its incorporation and has been owned and operated by the Houston Ice and Brewing Company since such acquisition.

(4.) On or about the 23rd day of April, 1893, a charter was by the State of Texas granted to the Galveston Brewing Company (hereinafter called Old Galveston Brewing Company), authorizing such corporation to manufacture and sell beer, etc., in the city of Galveston, Texas, and operated the same and engaged in the business of manufacturing and selling beer, etc., up until the time of the forfeiture of such charter, as is hereinafter shown. Which brewery plant, business, etc., was acquired by the present Galveston Brewing Company shortly after its incorporation and the same has been operated and carried on by such corporation since.

(5.) On or about the 8th day of April, 1895, a charter was by the State of Texas granted to the American Brewing Association (hereinafter called Old American Brewing Association), authorizing such corporation to manufacture and sell beer, etc. Such corporation constructed, or acquired, a brewery plant, etc., in the city of Houston, Texas, and operated the same and engaged in the business of the manufacture and sale of beer, etc., up until the time of the forfeiture of such charter, as is hereinafter shown. Which brewery plant, business, etc., was acquired by the present American Brewing Association shortly after its incorporation and the same has since been operated and carried on by such corporation.

(6.) On or about the 24th day of June, 1887, a charter was by the State of Texas granted to the San Antonio Brewing Association (hereinafter called Old San Antonio Brewing Association), authorizing such corporation to manufacture and sell beer, etc. Such corporation constructed, or acquired, a brewery plant, etc., in the city of San Antonio, Texas, and operated the same and engaged in the business of the manufacture and sale of beer, etc., up until the time of the forfeiture of such charter, as is hereinafter shown. Which brewery plant, business, etc., was acquired by the present San Antonio Brewing Association shortly after its incorporation and the same has been operated and carried on since by such corporation.

(7.) On or about the 10th day of August, 1883, a charter was by the State of Texas granted to the Lone Star Brewing Company (hereinafter called Old Lone Star Brewing Company), authorizing such corporation to manufacture and sell beer, etc. Such corporation constructed, or acquired, a brewery plant, etc., in the city of San Antonio, Texas, and operated the same and engaged in the business of the manufacture and sale of beer, etc., up until the time of the forfeiture of such charter, as is hereinafter shown. Which brewery plant, business, etc., was acquired by the present Lone Star Brewing Company shortly after its incorporation and the same has been since operated and carried on by such corporation.

(8.) That on or about the 7th day of July, 1875, a charter was



by the State of Missouri granted to the Anheuser-Busch Brewing Association authorizing it to manufacture and sell beer, etc.; on or about the 6th day of July, 1889, such corporation was by the State of Texas granted a permit authorizing it to engage in the business of selling beer, etc., in the State of Texas for a period of ten years; on or about the 1st day of November, 1899, the aforesaid permit was renewed by the State of Texas for a period of ten years thereafter; under the aforesaid charter such corporation engaged in the business of the manufacture of beer, etc., in the city of St. Louis, Missouri, and the sale thereof throughout the United States and foreign countries and has continued to do so up to the present time; under the aforesaid permit such corporation engaged, in the State of Texas, in the business of the selling of beer, etc., and continued to do so up until the time of the forfeiture of such permits as hereinafter shown; since the time of the forfeiture of such permits such corporation has continued to sell beer, etc., both in interstate and intrastate commerce, within the State of Texas, either directly or through its subsidiary corporations, associations, firms, persons controlled by it and other schemes and devices.

(9.) That each and all of the aforesaid corporations were potential competitors, each with the other, and each with all in the manufacture of beer, etc., and its sale in Texas, and were active competitors to certain extents, and would have been such active competitors to the fullest extent, but for the things mentioned in the next paragraph hereof.

(10.) That long prior to the year 1901 the direction of the affairs, business, operations and management of the (Old) corporations mentioned in paragraphs (1), (4), (5), (7), and (8), next above, through common stock ownership, and in other ways, was brought under the same management and control and such common management and control was continued and was actively exercised up until the time of the forfeiture of the aforesaid charters and permits stated hereinafter, and through such common management, etc., such corporations were prevented from competing the one with the other in the manufacture and sale of beer, etc., in Texas, with respect to prices, territory and all other elements of competition. And through the exercise of such common management and control, and other things, each and all of such corporations were caused to, and did, through the instrumentality of the Texas Brewers' Association—hereinafter referred to—and in other ways, enter into divers agreements and understandings with the other corporations mentioned in paragraphs (2), (3) and (6), next above, to prevent competition between any and all of them in the manufacture and sale of beer, etc., in the State of Texas, with respect to prices, territory and all other elements of competition, which agreements, etc., were carried out by all of such corporations up until the time of the aforesaid forfeitures, and which agreements, through the same instrumentalities and causes were adopted immediately upon the incorporation of the successors of such corporations and have since been carried out continuously, as is hereinafter more fully shown.

As a result of the foregoing acts, intents, purposes and conditions, among the other things herein mentioned, a monopoly, as defined by

Article 7797, R. S. 1911, and trusts, as defined by Article 7796, R. S. 1911, and conspiracies in restraint of trade, as defined by Article 7798, R. S. 1911, were formed and maintained, such monopolies, conspiracies and trust being continued up to the present time and transmitted to the present Texas corporations and adopted by them, and since maintained by them, immediately after their incorporations.

(11.) Through the aforesaid common management and control, and the aforesaid, and other similar, agreements, each and all of such corporations agreed to and did jointly enter into a course and system of misusing and abusing their corporate franchises and powers and means and assets for the purpose of attempting to affect and control legislation and the course and result of elections, and continued the same up until the time of such forfeitures, and the same were adopted by the present corporations immediately upon their incorporation, through the same causes and instrumentalities, and have since been continuously carried out by the present corporations, as is hereinafter more fully shown.

(12.) Pursuant to the aforesaid common management and control and such other agreements, and to facilitate the common intention held by such parties to monopolize the manufacture and sale of beer, etc., in Texas, and to influence, affect or control the results of elections in Texas, and to facilitate the performance of the details of the affairs and business of such corporations in order to carry out and make perfect such common management and control, on or about the 14th day of February, 1899, the Old Texas Brewing Company, the Old San Antonio Brewing Association, the Old Lone Star Brewing Association, the Old American Brewing Association and the Old Houston Ice and Brewing Company made and entered into an agreement and contract, in words and figures substantially as follows, to-wit:

"We, the undersigned parties, have agreed upon the following terms of transfer of the breweries we represent to TEXAS CONSOLIDATED BREWING ASSOCIATION. Committee of experts, as agreed upon, shall value, under oath, the buildings, machinery and supplies; and similar local committee, the real estate of each individual plant. Upon these committees other breweries of Texas shall be represented, thus—Houston and Fort Worth at San Antonio; San Antonio and Houston at Fort Worth, etc.

"Each brewery shall guarantee its book accounts and bills receivable; details of collection shall hereafter be agreed upon and a certain percentage shall be retained as guarantee of full value.

"Liabilities shall be assumed at par.

"Where bonds are outstanding, interest shall be equalized with that of the general bond to be placed, and bonds of equal amount retained to cover the debt.

"Where REFRIGERATOR CARS are leased on the amortization plan, the contract shall be figured at their present value as assets and assumed.

"Materials and supplies shall be estimated at invoice cost and contracts for supplies assumed.



"Beer shall be valued at average cost price, not less than \$2.50 per barrel.

"For the good will of each and every concern party to this agreement, a bonus of \$5.00 per barrel will be paid on last year's sales.

"All payments to individual concerns shall be on the basis of one-third bonds and two-thirds stock.—Fort Worth, Texas, Feb. 14, 1899.

"For Texas Brewing Company, Sig. Zane Cetti, Pres.

"For San Antonio Brewing Association, Sig. Otto Koehler, Pres.

"Lone Star Brewing Association, Per H. Prince, Pres.

"Houston Ice and Brewing Company, by H. Hamilton, Pres.

"American Brewing Association, Per H. Hacker, Vice Pres."

Whether the foregoing contract was carried out by the parties thereto, according to the technical language thereof, petitioner is not informed, but he says the spirit and purpose thereof and the real substantial intent thereof, to-wit: the perfection of the aforesaid common management and control, the monopolization of the business of the manufacture and sale of beer, etc., in Texas, and the common intent to facilitate the joint action of such parties in the attempt to influence, affect and control legislation and the result of elections, was carried out, and was adopted by the present corporations immediately upon their incorporation and has since been carried out in the doing of all the things hereinafter alleged.

(13.) Pursuant to the aforesaid common management, control, intents and purposes, and for the purpose of creating an instrumentality for the better carrying out of the same on or about the 6th day of February, 1901, the corporations named in the document copied herein-below made and entered into an agreement to create and maintain an association called the Texas Brewers' Association, such agreement being, in part, reduced to writing as follows, to-wit:

"We, the brewers of Texas, and representatives of other than Texas beers sold in Texas, hereby agree to organize as the Texas Brewers' Association, the object of this organization is to strengthen the hands of the individual brewery in making its labor contracts, to insure uniformity of such contracts and to effectually support the industry directly affected by any strike or boycott.

"The members of this association voluntarily bind themselves to submit to the approval of the association every labor contract with the brewery workmen, and to sign no contract without such approval.

"In event of strike, following the refusal to sign, the organization as a body pledge itself hereby to stand as a unit in the support of the affected brewery, and in manner as may hereafter be determined upon by a two-thirds vote of the members hereof.

"Contracts approved by this association shall bear the approval in writing upon the contract itself. The association shall remain in force and binding upon all its members until dissolved by a majority vote of all members.

"This agreement becomes binding when signed by all the Texas breweries, and by Anheuser Busch, Lemp and Pabst breweries, signed at Fort Worth, Texas, Feb. 6, 1901, by

"Texas Brewing Company, Zane Cetti.

"Galveston Brewing Company, B. H. Peters.

"Houston Ice and Brewing Company, H. Hamilton.

"San Antonio Brewing Association, Otto Wahrmond.

"American Brewing Association, H. Prince.

"Dallas Brewery, S. T. Morgan.

"Lone Star Brewing Company, Frank Arndt.

"Anheuser-Busch Brewing Association, A. T. Stevens, Agt."

Such agreement was carried out and said association was formed and has continued in existence, under variations in terms and name up until the present time, and such agreement was adopted by the present corporations immediately after their incorporation.

It is true that **one** of the objects of the formation and maintenance of such association was, and always has been, and now is "to strengthen the hands of the individual brewery (meaning corporation) in making its labor contracts, to insure uniformity of such contracts and to effectually support the industry (meaning the enterprises and businesses of each and all of such and other similar parties) directly affected by any strike or boycott," as is stated in the foregoing agreement—and that under such agreement the original parties thereto, up until the time of the aforesaid forfeitures, opposed continuously the demands of their employes for higher wages and for better working conditions, and assisted each other in cases of strikes and boycotts by their employes, and the present corporations, members of such association, have continued to do so up to the present time.

But the foregoing was by no means the only object or purpose of such association and the members thereof, but the general purpose and object of the creation and maintenance thereof was to create and have an instrumentality through which all of the details and matters affecting the businesses, etc., of the members thereof might be conveniently handled, including each and all of the things hereinafter more fully alleged, and such organization has been continued in force by the original parties thereto and the successors thereof, the present corporations, up to this time, and to the jurisdiction of such organization, and the joint action of its members thereby, such parties have submitted such details and matters, including the matters and things herein more fully alleged, with the result that uniform and joint action thereon—through such instrumentality—has been secured by such parties.

(14.) Because of the matters and things generally alleged in paragraph (10) next above, the State of Texas, heretofore on or about the 24th day of October, 1901, filed suit against the Old San Antonio Brewing Association; on or about the 20th day of November, 1901, it filed suit against the Old Texas Brewing Company; on or about the 2nd day of December, 1901, it filed suit against the Old Dallas Brewery; on or about the — day of —, 1901, it filed suit against the Old Lone Star Brewing Company; on or about the — day of —, 1901, it filed suit against the Old Galveston Brewing Company; on or about the — day of —, 1901, it filed suit against the Old Houston Ice and Brewing Company; on or about the — day of —, 1901, it filed suit against the Old American Brewing Association, and on or



about the —— day of ——, 1901, it filed suit against the Anheuser-Busch Brewing Association, such suits being filed in the Fifty-third District Court, Travis County, Texas, and therein the State of Texas sought to recover penalties for violation of the anti-trust laws of the State, and also sought the forfeiture of the charters of each and all such Texas corporations and the forfeiture of the permit of the Anheuser-Busch Brewing Association; shortly after the filing of the aforesaid suits a judgment, by agreement of the parties, was entered in each of them in favor of the State of Texas, for penalties for violation of the anti-trust laws and forfeiting the charters of each of such Texas corporations, and forfeiting the permit of the Anheuser-Busch Brewing Association.

(15.) Thereafter on the dates herein named charters were granted to the present Texas corporations, which acquired the properties, businesses, etc., of the dissolved corporations, as shown in paragraphs 2-7, inclusive, next above, the dates of the issuance of such new charters being as follows:

Texas Brewing Company, June 24, 1904.

Dallas Brewery, Feb. 26, 1902.

San Antonio Brewing Association, Nov. 29, 1901.

Lone Star Brewing Company, Dec. 3, 1901.

American Brewing Association, Jan. 30, 1902.

Houston Ice and Brewing Company, Dec. 14, 1901.

Galveston Brewing Company, Feb. 20, 1902.

(16.) During the interim between the respective dates of such forfeitures and of such new incorporations the properties and businesses of the dissolved corporations reverted to the stockholders of the dissolved corporations and the same were managed and operated by them through the persons who were officers and employees of the old corporations at the time of their dissolution, and during the time embraced in such interim periods the owners of such properties, and their managers, officers and employees, carried out each and all of the foregoing common acts, intents, purposes and agreements and continued in force and operation said Texas Brewers' Association for each and all of the aforesaid purposes, and said association, and the members and supporters thereof through it, continued to carry out each and all of such purposes, and the same continued as an instrumentality for the accomplishment of each and all of such purposes, and was so used, by such parties, and the expenses thereof were paid out of the earnings of such properties as they always had been, and always have been paid, so that all things done by the Old ————, as alleged, by those in charge of the properties thereof during the interim, and by the present ————:

(a) Have been, and are being caused by the same thing, to-wit, the aforesaid control—through:

(b) The same things, to-wit, the aforesaid conspiracies, combinations and organizations, which have been carried out and made possible of accomplishment:

(c) By the same thing, to-wit, the franchises and powers of the

two corporations and the earnings of the aforesaid properties and such properties themselves, all of which has resulted in:

(d) The misuse of its funds, means and assets, and the misuses and abuse and violation of its franchises and powers by the defendant in the doing of each and all of the things and acts herein alleged, for which misuses and abuse:

(e) This suit is brought to have inflicted upon defendant the penalties provided by law for such cases and to restrain the further misuse and abuse thereof.

#### SUBDIVISION NO. 5.

Pursuant to the aforesaid conspiracies, common intents and purposes, and through the aforesaid common instrumentalities, or otherwise, the defendant and other corporations, on or about the 14th day of May, 1903, made and entered into, and thereafter carried out, an agreement in words and figures substantially as follows:

"Houston, May 14, 1903.

"The undersigned hereby agree to pay an assessment of 20 (twenty) cents per barrel on their sales of keg beer in Texas, and 1 (one) cent per dozen of bottle beer, from the 1st day of June, 1903, to 1st day of June, 1904. The money to be spent by a committee to be appointed by and under the direction of the subscribers for the purpose of promoting anti-prohibition matters in Texas.

"The money to be paid from time to time as needed, and called for by the committee.

"Galveston Brewing Company, by B. Adoue, Pres.

"Texas Brewing Co., Zane Cetti, Pres.

"San Antonio Brewing Association, O. Koehler, Pres.

"Dallas Brewery, S. T. Morgan, Pres.

"Houston Ice and Brewing Company, H. Hamilton, Pres.

"American Brewing Association, H. Prince, Secy. and Treas.

"Lone Star Brewing Company, B. Adoue, Vice Pres.

"Anheuser-Busch Brewing Association, E. S. Clauss.

"Wm. J. Lemp Brewing Company, B. Adoue, Vice Pres.

The foregoing contract was carried out by the parties thereto and the money derived thereunder was used for the purpose of attempting to influence, affect and control of legislation and the result of elections in Texas, and for the purpose of securing the payment of poll taxes to qualify persons known to such parties to have views on the subject matter of such elections favorable to the legalizing of the sale of intoxicating liquors.

The foregoing contract was carried out through the instrumentality of the aforesaid Texas Brewers' Association, which organization, under that name or a variation thereof, and the parties to such contract, through such organization, collected and disbursed such moneys for such purposes. In the alternative, petitioner says that if said Texas Brewers' Association was not kept alive, as alleged heretofore, and did not collect and disburse such moneys and otherwise carry out the purposes of such contract, then a similar organization, with the same general purposes as those of said Texas Brewers' Association was



created and did collect and use such moneys and otherwise perform such contract, and carry on the same work and purposes of said Texas Brewers' Association, and that the two, or more, organizations were in spirit, purpose and conduct one and the same.

#### SUBDIVISION NO. 6.

Pursuant to the aforesaid control, direction, management combinations and conspiracies, and its submission thereunto and participation therein, as well as upon its own initiative, the defendant has continually sought to control, affect and influence legislation, both State and National, and elections, both State and National, and with respect to both men and measures, to violate the anti-trust laws of this State, and to do other unlawful acts, and to that end, and for the accomplishment of such purposes, it has misused and caused and permitted to be misused, in violation of law and public policy, its franchises and powers and "its stocks, means, assets and other property," and has combined its funds, franchises and management with other persons, associations and corporations for the accomplishment for each and all of the objects and purposes named herein in violation of law and public policy as is hereinafter more fully alleged as follows, to-wit:

#### SUBDIVISION NO. 7.

As aforesaid, the association, known as the TEXAS BREWERS' ASSOCIATION, has been formed by the prior owners and managers of the properties and business of the defendant, prior to the incorporation of the defendant—for each and all of the purposes hereinbefore and hereinafter mentioned—and has been maintained and kept in existence for the accomplishment of each and all of such purposes up to such time, and immediately upon its incorporation the defendant became a member thereof and, together with such other members, has remained as a member thereof, and such association has been maintained and kept in existence by the defendant and the other members thereof up to the present time for the accomplishment of each and all of such purposes.

In the alternative, petitioner says that, if it be true that such association or organization had not been continuously maintained up to the time of the incorporation of the defendant, nevertheless the work and purposes thereof had been so continued, and the common intent and purpose of such parties to maintain such association—or a similar organization for the same purposes—and the defendant, immediately after its incorporation, became a party thereto and a member thereof, and has continued to be such up to the present time, and such an organization has thus been maintained by such parties—under such agreements and under such name, or variations thereof, up to the present time, and each and all of such purposes have been sought to be accomplished and such work has been carried on by the defendant and the other members of and parties to the same by the use of their corporate franchises, powers, stocks, means and assets, and, thereby, the defendant and such other parties have pooled and com-

bined corporate franchises and powers, funds, means and assets and used the same, and have conspired together, for the accomplishment of each and all of such purposes and work and for the violation and subversion and evasion of each and all of the laws herein mentioned, and have continuously used such association, or organizations, and such agreements as an instrumentality and means for the continuous abuse and misuse of their corporate franchises and powers, means and assets, and for the violation of each and all of the laws herein mentioned and the public policy of the State by the making and enforcement, through such organizations, all or some of the agreements herein mentioned and by the use through and by such organizations of their franchises, powers, means and assets for the accomplishment of each and all of the purposes herein mentioned.

(A) For the accomplishment of such purposes and the carrying on of such work such organizations, under such agreements, have required the collection, by and through them, of large sums of money from the corporate funds of such parties, and such sums have been paid into such organizations by the defendant and other members thereof and such moneys as paid in by each and all of such members were by such organizations combined and mingled into a common fund out of which the expenses incurred and disbursements made by such organizations and their committees, officers and agents for the accomplishment of such purposes and work have been paid. Petitioner cannot now allege the details—that is, the dates and amounts—of each and all of such payments by the defendant or each and all of such other members, but such details are well known to defendant and such other members and the same will be made to appear upon final hearing hereof. Petitioner does say, however, that such payments have been made, in aggregates, as follows:

For each and every year from 1904 to 1914, inclusive, each and all of such members have so paid amounts of money equal to twenty cents per barrel, per year, on the annual sales thereof by such members; and the aggregate of such sales for each and of such Texas members have averaged more than ——— barrels, and that, therefore, they have so paid for each of such years a sum aggregating more than \$———, and that the total of such payments for such period of time aggregate more than \$———.

In addition to the foregoing payments each and all of such members have from time to time so paid “extra assessments,” the details of which petitioner cannot now allege, except to the following extent:

Each and all of such members so paid an “extra assessment” of five cents per barrel on such sales made during the month of December, 1906, which payments aggregated more than the sum of \$———.

During the year of 1908 said association, and its members, created an “emergency fund” of \$40,000—to be used with respect to what is known as the “submission question”—hereinafter more fully described, and for other purposes, and called upon the members thereof, including defendant, to pay the same, and the same was so paid.

During the months of February, March, April, May, June and July et seq., either as an extra “assessment” or in lieu of the regular



assessment the members thereof so paid—for use in what is known as the “anti-State-wide campaign” of 1911, hereinafter more fully described—a sum of money aggregating more than \$250,000, of which this defendant so paid more than \$33,000.

During the year of 1912, either as an extra assessment or as the regular payment for that year such members so paid more than the sum of \$50,000, of which this defendant so paid more than \$7,000.

During such period of time the defendant and the other Texas corporation members so paid sums of money in amounts and on or about the dates mentioned, as follows, to-wit:

(a) TEXAS BREWING COMPANY.	
May 1, 1905 .....	\$2,731.70
May 27, 1906 .....	846.70
October 20, 1906 .....	1,247.16
May 15, 1907 .....	5,694.60
June 26, 1907 .....	2,957.80
December 4, 1907 .....	663.85
January 9, 1908 .....	198.50
February 1, 1908 .....	1,000.00
March 11, 1908 .....	1,000.00
April 16, 1908 .....	1,000.00
May 25, 1908 .....	1,000.00
June 25, 1908 .....	1,000.00
July 15, 1908 .....	1,000.00
October 29, 1908 .....	500.00
July 1, 1909 .....	4,897.00
March 15, 1910 .....	1,311.35
April 11, 1910 .....	1,119.60
May 5, 1910 .....	937.00
June 7, 1910 .....	901.00
October 27, 1910 .....	1,053.00
March 8, 1911 .....	5,500.00
April 20, 1911 .....	5,500.00
May 13, 1911 .....	5,500.00
June 13, 1911 .....	5,500.00
July 12, 1911 .....	5,500.00
Another payment during 1911 .....	5,500.00
Two payments during 1912 .....	3,500.00 each

Total specific payments by TEXAS BREW-  
ING COMPANY .....\$72,159.25

In this connection, also, petitioner shows that the report of the president of the TEXAS BREWING COMPANY, with respect to the business of that company for the year 1906 shows that said company, either through such organizations, or otherwise, up to and including that year, had so paid for such purposes at the least a sum per year equaling 4 per cent of its capital stock of \$300,000, or \$12,000 per year, and that on such basis that company for said ten-year period has so paid \$120,000. Petitioner shows further that the amounts of such payments since the year of 1906 have increased and that as a

matter of fact for said ten-year period such company has so paid a great deal more than \$120,000.

(b) DALLAS BREWERY.

January 21, 1907 .....	\$ 734.40
February 6, 1907 .....	1,616.00
February 15, 1907 .....	469.10
March 13, 1907 .....	1,072.55
April 9, 1907 .....	638.80
May 18, 1907 .....	1,742.86
June 22, 1907 .....	1,054.90
September 13, 1907 .....	294.70
October 9, 1907 .....	257.50
November 6, 1907 .....	255.60
December 27, 1907 .....	179.20
May 23, 1908 .....	1,000.00
November 10, 1904 .....	
November 1, 1910, April 1, 1910 .....	3,400.00
April 1, 1910, May 5, 1910 .....	2,900.00
January 8, 1910 .....	550.00
July 8, 1910 .....	
Total .....	\$16,210.61

(c) SAN ANTONIO BREWING ASSOCIATION.

January 24, 1907 .....	_____
February 8, 1907 .....	_____
February 15, 1907 .....	_____
March 13, 1907 .....	_____
April 11, 1907 .....	_____
May 20, 1907 .....	_____
June 20, 1907 .....	_____
September 15, 1907 .....	_____
October 12, 1907 .....	_____
May 20, 1908 .....	_____
January 5, 1909 .....	\$ 1,800.00
November 3, 1909 .....	_____
December 6, 1909 .....	2,700.00
January 4, 1910 .....	_____
February 10, 1910 .....	2,700.00
March 4, 1910 .....	1,800.00
April 7, 1911 .....	47,296.00
April 11, 1910 .....	1,500.00
May 9, 1910 .....	6,200.00
June 6, 1910 .....	_____
June 23, 1910 .....	_____
July 11, 1910 .....	3,000.00
August 1, 1910 .....	3,000.00
October 7, 1910 .....	2,700.00



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November 25, 1910 .....	4,000.00
December 3, 1910 .....	<u>          </u>
January 29, 1911 .....	15,000.00
	<u>          </u>
Total . . . . .	\$91,696.00

(B) In addition to the above, petitioner shows that the aforesaid funds of such organizations have been supplemented for many of such years by large payments by other persons, corporations and associations, the details of which can not now be alleged, but which details are well known to defendant and will be made to appear on final hearing hereof. Petitioner, in this connection, does show unto the Court, however, the following:

(a) That for many of such years Adolphus Busch so paid large sums of money, the amounts of which petitioner can not now allege.

(b) That for many of such years the Anheuser-Busch Brewing Association, the Pabst Brewing Association, the Joseph Schlitz Brewing Company, the Miller Brewing Company and other foreign corporations so paid assessments on the same or a similar basis as the basis paid upon by said Texas corporations, the amounts of which payments petitioner can not allege, but does say that the same aggregated hundreds of thousands of dollars, the details of which are known to defendant and will be made to appear on final hearing hereof.

(c) That for many of such years the United States Brewers' Association, hereinafter mentioned and more fully described, so paid many thousands of dollars, the details of which can not now be more fully alleged than is done hereinafter.

(d) That during the year of 1908 there were prepared and submitted to the Executive Committee of the Democratic Party in Texas, in the manner provided by law, petitions requesting such committee to submit, in the manner prescribed by law, to the Democratic voters, at the general Democratic primary election to be held, and held, in Texas during that year, the question of whether or not that party would include in its platform demands a demand upon the Texas Legislature to submit to a vote of the people of Texas a proposed amendment to their Constitution prohibiting the manufacture and sale, etc., of intoxicating liquors in the State; counter petitions against such submission to the Democratic voters were also presented to such committee. Such committee, as provided by law, submitted such question to such voters at such election, and the proposition, having received a majority of the votes cast thereon was so included in such platform demands, as provided by law, by the Democratic Convention, immediately subsequent to such election. As hereinafter shown, the aforesaid organization, and the defendant and the other members thereof through such organization and otherwise, carried on an active campaign against the submission of such question to such voters and against the adoption thereof by such voters during such year. In order to supplement the aforesaid funds, on or about the 20th day of June, 1908, such organization decided to call upon all dealers theretofore selling materials and supplies to the members of such organization to

pay to such organization, for such uses, an amount of money equal to one per centum of the prices of such sales, as is shown in part by the following correspondence which passed between the members and officers of such organization on or about the dates therein mentioned, to-wit:

"June 22, 1908.

"Mr. Otto Koehler,

"San Antonio.

"Dear Sir:

"Your letter of yesterday received. The idea of the retail liquor dealers asking \$5,000 contribution from Schlitz and Pabst and \$2,500 from Miller is good. They should really pay heavier amounts. Last Friday night at Houston we formulated a plan to obtain help from all dealers and manufacturers selling to Texas brewers. Mr. Autry promised to set in motion. No doubt you have received his letter. My impression is that through Mr. S. A. T. Morgan the wholesale liquor dealers have contributed \$5,000 to the fighting fund. Mr. Wahrmond can give you the exact figures. Yours truly,

"B. ADOUE.

"P. S.—I have notified Mr. Busch. He is supposed to pay his share of the \$40,000 emergency fund."

Such plan as thus adopted was carried out by such organization, and the members and officers thereof, and letters were sent to all such dealers in Texas, the United States and foreign countries, in words and figures, substantially, as follows, to-wit:

"TEXAS BREWERS' ASSOCIATION.

"GALVESTON BREWING COMPANY,

"AMERICAN BREWING ASSOCIATION,

"LONE STAR BREWING COMPANY,

"SAN ANTONIO BREWING ASSOCIATION,

"HOUSTON ICE AND BREWING COMPANY,

"TEXAS BREWING COMPANY,

"ANHEUSER-BUSCH BREWING ASSOCIATION,

"WM. J. LEMP BREWING COMPANY,

"DALLAS BREWERY.

"Houston, Texas, June 23, 1908.

"Dear Sirs:

"We have a State-wide prohibition fight on our hands and it is fast and furious. It has only one merit, and that is, short duration.

"The fight is before the State Democratic primary, to be held July 25. The result of the Texas Democratic primary is equivalent to an election, therefore, the result at the primary is for a purpose final.

"We need money and are appealing to all merchants, manufacturers, persons and corporations from whom each of the breweries in Texas bought goods in the year 1907, to give us 1 per cent of the amount of the bill bought and paid for.

"ON THIS BASIS WE ASSESS YOU THE SUM OF \$———.

"Kindly send us your check at once, making it payable to the



writer individually. This donation from you will be bread cast upon the waters. Yours very truly,

"TEXAS BREWERS' ASSOCIATION,  
"President."

In response to the aforesaid letters such organization received large sums of money from divers and sundry such dealers, as is shown by the following letter sent to such dealers, to-wit:

"TEXAS BREWERS' ASSOCIATION  
"GALVESTON BREWING COMPANY,  
"AMERICAN BREWING ASSOCIATION,  
"LONE STAR BREWING COMPANY,  
"SAN ANTONIO BREWING ASSOCIATION,  
"HOUSTON ICE AND BREWING COMPANY,  
"DALLAS BREWERY,  
"TEXAS BREWING COMPANY,  
"ANHEUSER-BUSCH BREWING ASSOCIATION,  
"WM. J. LEMP BREWING CO.

"Galveston, Texas, July —, 1908.

"Dear Sirs:

"Your welcome contribution of \$—— to the funds of the Texas Brewers' Association has been duly received. You have our most hearty thanks for the prompt and practical manner in which you have evinced your sympathy and good will for the cause of anti-prohibition in Texas.

"The old proverb runs, 'a friend in need is a friend indeed,' and the magnificent response to our appeal for funds (which far exceeded our expectations), the hearty offers of co-operation and the sincere good wishes for success that we received, have not only shown us the large number of friends and adherents we have in Texas and all other States, but have given us renewed vigor to press on the fight and let loose the dogs of war.

"Again thanking you for your appreciated contribution, which we do assure you will be returned to you manifold, we are, Yours truly,

"TEXAS BREWERS' ASSOCIATION,  
"President."

Petitioner can not now allege the exact amounts of money so received in response to the foregoing letters, but says that the same amounted to many thousands of dollars, the details of which are well known to defendant and will be made to appear upon final hearing hereof.

But many of such dealers did not respond to the aforesaid letter, and thereafter on or about the 8th day of July, 1908, such organization decided to send a second such letter to such dealers, as had not so responded, as is shown by the following letter, and others, passing between such organization and the members thereof through their respective officers, to-wit:

"Galveston, Texas, July 8, 1908.

"Mr. R. L. Autrey,

"Houston.

"Dear Sir:

"I send you herewith about 56 letters. It will give some work to your typewriters to answer them. The remittances have stopped coming and I suggest that by next Saturday I send you a third list, then to make a second call on the delinquents.

"I call your special attention to the seven letters bunch—I hold checks Magnus Sons Co. \$300—McFaddin \$13.05, Kansas \$5. Will appear in next list—you may retain the two enclosed lists.

"Mr. Hamilton has several times stated we are not supplying enough funds. Tell him I have sent \$20,000 since June 25! Yours truly,

"B. ADOUE.

"Received clippings of Chronicle. Submission fight makes interesting reading."

Such second letters were sent to such dealers in words and figures substantially as follows:

"SECOND REQUEST.

"As yet we have no reply to our letter of June 23, requesting you to help this association in the fight which is now being waged against prohibition. The Democratic primary comes off July 25—the fight is waging fiercer every day.

"The association—which is not a corporation—is in urgent need of immediate funds with which to carry on the campaign against the hysterical wave of prohibition now threatening to ruin the prosperity of Texas. The assessment we have levied against you is a very small one—only 1 per cent of the amount of business you have done with all the brewers of Texas in the year 1907, and looking at it from a business standpoint is merely a very cheap policy to insure that the markets of Texas which have hitherto been open to you will not be closed in the future through the enactment of the proposed prohibition laws. You will readily understand that should Texas go prohibition your annual turnover would be decreased 100 times the amount we have assessed you.

"He gives twice who gives quickly, so let us hear from you at once with a remittance."

In response to such second letter such organization received many thousands of dollars, the exact amount of which petitioner can not now allege, but the same is known to defendant and upon final hearing hereof will be made to appear.

But many of such dealers did not respond to either the first or second of such letters and thereafter on or about August 8, 1908, a third letter was so sent to such non-responding dealers in words and figures substantially as follows:



"TEXAS BREWERS' ASSOCIATION.  
 "GALVESTON BREWING COMPANY,  
 "AMERICAN BREWING ASSOCIATION,  
 "LONE STAR BREWING COMPANY,  
 "SAN ANTONIO BREWING ASSOCIATION,  
 "HOUSTON ICE AND BREWING COMPANY,  
 "DALLAS BREWERY COMPANY  
 "TEXAS BREWING COMPANY,  
 "ANHEUSER-BUSCH BREWING ASSOCIATION,  
 "WM. J. LEMP BREWING CO.

"Galveston, Texas, Aug. 8, 1908.

"Herman Sons,  
 "Prague, Bohemia.

"Dear Sir:

"We have not yet received any reply to the two circulars of June 23rd and July 14th requesting a contribution to the funds of the Texas Brewers' Association in order to aid them in their fight against State-wide prohibition.

"These circulars were only sent out to firms from whom various brewers in Texas have purchased their supplies during the last twelve months and were therefore not sent out to anyone who had not a direct interest in keeping State-wide prohibition from being enforced in Texas.

"We would very much appreciate the courtesy of a reply informing us why our request has met with no attention, stating specifically why you have so tacitly refused to contribute towards the funds of our campaign. Yours truly,

"TEXAS BREWERS' ASSOCIATION,  
 "President."

Responsive to the third of such letters and demands such association, and its members, received many thousands of dollars—and responsive to all of such demands, so received many thousand of dollars to be used, and which were used, for the purposes herein described, the exact amount of which petitioner can not now allege, but does allege that the same aggregated more than \$15,000, the details of which are well known to defendant and will be made to appear upon final hearing hereof.

In response to such and other similar demands the United Malsters' Association, an organization of dealers selling malt, etc., to brewers, with headquarters at Chicago, Ill., contributed to such funds at least the sum of \$2,500, as is shown by the following letter sent to certain members of such organization by the Texas Brewers' Association, to-wit:

"TEXAS BREWERS' ASSOCIATION.  
 "GALVESTON BREWING COMPANY,  
 "AMERICAN BREWING ASSOCIATION,  
 "LONE STAR BREWING COMPANY,  
 "SAN ANTONIO BREWING ASSOCIATION.

"HOUSTON ICE AND BREWING COMPANY,  
"DALLAS BREWERY,  
"TEXAS BREWING COMPANY,  
"ANHEUSER-BUSCH BREWING ASSOCIATION,  
"WM. J. LEMP BREWING CO.

"Galveston, Texas, July 22, 1908.

"Wm. Rahr Sons Co., Manitowec, Wis.

"Milwaukee Malting Co., Milwaukee.

"American Malting Co., Chicago.

"Northwestern Malt and Grain Co., Chicago.

"Albert Schwill & Co., Chicago.

"Gentlemen:

"Yours of the 10th inst. in hand. We are very glad to inform you that we have just received from the secretary of the United Malters' Association a remittance of \$2,500.

"The association has our most hearty thanks for the prompt and practical manner in which they have so generously come to our aid in our time of trouble, and it may rest assured that every cent of this amount will be laid out to the best advantage in our endeavor to thwart the schemes of the prohibitionists in the fight now on, the result of which means so much to the malting and brewing interests of this country. Yours truly,

"TEXAS BREWERS' ASSOCIATION,  
"President."

(d-a) As aforesaid, the proposition to have the Legislature submit to a vote of the people of Texas, for adoption or rejection, a proposed amendment to the Constitution prohibiting the manufacture and sale, etc., of intoxicating liquors in the State received a majority of the votes cast thereon at the Democratic primary election held in 1908. It was generally known that the overwhelming majority of the members elected to the Legislature which was to convene in January, 1909, were elected as Democratic nominees and pledged to vote for such submission, and that such members would probably vote to submit such amendment to be voted on at an election to be held in 1909. During the latter part of 1908 the defendant and the other members of the Texas Brewers' Association, through such association and otherwise, began an active campaign, and the preparations therefor, to prevent the submission of such amendment, and to defeat its adoption if it should be submitted, and carried on such campaign for many months. In such preparation said association formed, or became allied with, another organization called the "Anti-Prohibition League," and through its own agencies as well as through such league sought to accomplish such and other purposes, and used its aforesaid funds therefor. To supplement the aforesaid funds for such work and purposes such association or the members thereof made and adopted a plan for collecting additional funds correctly described, in substance, in certain correspondence passing between said association and its members, through their respective officers, on or about the dates named in such correspondence, which correspondence reads, in part, as follows, to-wit:



"Houston, November 27, 1908.

"Mr. B. Adoue,

"Galveston.

"Dear Mr. Adoue:

"In other and previous correspondence I have shown you the necessity of supporting the Anti-Prohibition League, of which Mr. \_\_\_\_\_ is chairman. Now I desire to submit my plan for raising funds. There may be several sources out of which funds can be raised, but we can only concern ourselves with the liquor traffic and it is reasonable on the part of Mr. \_\_\_\_\_ and his followers to expect us to raise the bulk of the money needed.

"The seven Texas breweries, Anheuser-Busch, Wm. J. Lemp, Pabst and Schlitz must meet and invite the wholesale liquor dealers of Texas and also the shippers of liquor into Texas \* \* \*

"Would you meet with us and devise means to raise funds?

"I believe that any complicated plan is worth nothing and that a simple one that can be carried out is easily feasible proposition and all that is needed is the co-operation of the parties herein named to insure its success.

"I feel that an additional ten cents per quarter barrel on the price of draft beer sold in the cities will bring \$125,000; an addition of twenty-five cents to the price of barrel of bottle beer shipped into Texas will bring \$27,500. The wholesale liquor dealers of Texas, by adding two cents to the price of a gallon of whiskey can raise \$25,000, and the whiskey houses shipping into Texas by adding two cents per gallon to their price will raise \$75,000. Altogether it will make an approximate amount of \$253,500 for one year.

"I know that the raising of tax on keg and bottle beer is practicable if we can only get the co-operation of the parties named, and I think that the tax on the whiskey is also feasible, provided the collection is made before the liquor reaches the State line. I suggest that we appoint December 10 as a date to meet at St. Louis and invite all the parties I have named to attend the conference.

"R. L. AUTREY."

"Galveston, Texas, November 28, 1908.

"Mr. R. L. Autrey,

"Houston.

"Dear Sir:

"I have received the 'package' you sent me yesterday containing four letters, contents of which have my special attention \* \* \*

"No. 4. Raising funds as you suggest appears easy and I have not the least objection to the plan, but much easier will be to reduce profits on beer and whiskey.

"Have you weighed the effect a general horizontal advance in prices will have on the consumers as well as on the pros' leaders? Have you read the Home and State, November 19? I consider the contents of Nos. 2, 3, 4 of sufficient importance to send them to Mr. Koehler. Shall probably see you tomorrow morning.

"B. ADOUE.

"Some people would call that a trust."

## "DALLAS BREWERY.

"Dallas, Texas, December 3, 1908.

"Mr. R. L. Autrey,

"Houston, Texas.

"My Dear Mr. Autrey:

"I beg to acknowledge receipt of a copy of your letter to Mr. Adoue of December 1.

"I think your suggestions are good, and that every brewery, wholesale and retail liquor dealer should at once get busy. However, it might be well to leave out of the order the purpose for which the money is to be used in order to avoid any conflict, if there should be any, with the law.

"In this country we have in the past handled the poll tax proposition through our Commercial Club, and in this way have avoided the 'grafter' and others who are always on the lookout to turn an honest penny (?) or get some one to pay their obligations. In handling the proposition through the Commercial Club the outlay has been confined to legitimate expenses only, namely: Salaries and advertising. And I think it will be found upon comparison that Dallas County has a larger paid poll tax list per capita than any other county in the State. Yours very truly,

S. T. MORGAN.

"Dict. S. T. M.—H."

(e) During the year 1910 the Executive Committee of the Democratic Party in Texas, as provided by law, again submitted to the Democratic voters at the general Democratic primary election held in Texas during that year the question as to whether or not that party would include in its platform as one of its demands that the Legislature of Texas should submit to a vote of the people of Texas a proposed amendment to their Constitution prohibiting the manufacture and sale of intoxicating liquors, etc., and an active campaign against the adoption of such platform demand was carried on by the defendant and the other members of such association through such association, and otherwise preceding such election. The proposition having received a majority of the votes cast thereon at such election, and having been made a platform demand by such party at its convention succeeding such election, and it being generally known that the overwhelming majority of the members elected to the Legislature to convene in January, 1911, were elected as Democratic nominees, and that, therefore, such a proposed amendment would in all probability be submitted by the Legislature at the 1911 session, such association, and its members through it, and otherwise, during the latter part of the year 1910 began preparations to oppose the adoption of such amendment by vote of the people, when it should have been submitted, and began an active campaign against its adoption, and continued such campaign up until the date of the election upon such amendment—the same having been submitted by the Legislature in January, 1911, to be voted upon the 22nd day of July, 1911—such campaign and election being more fully referred to and described hereinbefore and hereinafter.

In order to supplement the funds derived from its members, to be used in such campaigns, said association through its members, and



otherwise, decided to call upon all dealers selling supplies and materials to the members thereof to pay to such association, or to the various members thereof for the use of such association and such work, and did call upon such dealers to pay into such funds amounts of money equal to  $1\frac{1}{2}$  per centum of the prices of all sales made to the members of such association during the year of 1910, as is shown, in part, by the following letter, a substantial copy of which was sent to each manufacturer and dealer in the United States and foreign countries who had sold supplies, materials, etc., to any of the Texas breweries during the year ending May 1, 1911, to-wit:

"Houston, Texas, May 22, 1911.

"American Malting Company,

"Chicago, Ill.

"Gentlemen:

"You must know an election submitting State-wide prohibition for the State of Texas will be held July 22, 1911, as a Constitutional amendment. Its adoption means complete ruin to the breweries of Texas, because they will be forbidden to manufacture beer after January 12, 1912. There are only seven breweries of considerable size in the State and four small breweries, while the expense of the campaign to which they have to contribute is as gigantic as the population of 4,000,000 scattered over an area of 250,000 square miles, renders it necessary and our critical extremity confronts us and we appeal to our friends of whom we have bought our supplies of all kinds during the year ending May 1, 1911, to help us to the extent of donating a sum equal to  $1\frac{1}{2}$  per cent of such purchases. The matter is very urgent. He who gives quickly gives twice, and a prompt reply is requested. It is not necessary to add that our friends will be remembered ever after. Yours truly,

"TEXAS BREWERS' ASSOCIATION.

"B. Adoue,

"Otto Koehler,

"H. Hamilton."

"Your sales to the members of the Texas Brewers' Association amount to \$———. Please make your check payable to B. Adoue, President, Galveston, Texas."

(f) In addition to the foregoing said association, and its members, caused such funds to be supplemented by similar demands made by other dealers in intoxicating liquors and their customers and the persons, firms and corporations from which such other dealers in intoxicating liquors in Texas purchased stocks, material and supplies, and such collections were made and the proceeds thereof, being mingled with all other such funds, was used by such association and its members, through the association, and otherwise, for the purpose of affecting, influencing or controlling the result of the aforesaid election held on July 22, 1911. Petitioner can not now allege all of the details of such collection, nor the amount thereof, but does allege that many thousands of dollars were so collected, some of the details thereof

being as shown by the correspondence herein next set forth, and all of such details being well known to defendant and will be made to appear upon final hearing hereof.

"TEXAS BREWING COMPANY.

"Fort Worth, Texas, May 13, 1911.

"Mr. B. Adoue,

"Galveston, Texas.

"Dear Sir:

"Your two favors received promptly, but on just this morning succeeded in getting at Lévy under favorable conditions. Enclosed find my check.

"He says that in his opinion the funds from outside sources ought to be available right now.

"That his state people have responded to only one call as yet, but second call is out, and should meet prompt response. He thinks he could forward you \$15,000 next week if necessary. Yours truly,

"J. E. WEEDEN.

"P. S.—From what source are Tarrant County expenses to be expected? North Texas is the battle ground, and this is the center—money is necessary."

"Galveston, May 15, 1911.

"J. E. W.,

"Ft. W.

"Your letter 13th received, with check, thanks for promptness. Please inform Mr. Levy I am prepared to receive the \$15,000 check. The demands on our treas. are heavy and regular. To your question, relative to Tarrant Co. you must keep in touch with Mr. ———, who has the high direction of the fight and as he is located at Dallas, can easily be reached by you. To look after the North Texas situation was the special reason for transferring his office to Dallas. Yours truly,

"B. ADOUE."

"May 16, 1911.

"Re Edw. Weil.

"Mr. B. Adoue,

"Galveston, Texas.

"Dear Sir:

"Yours of the 15th at hand, and Tarrant's affairs will be taken up with ———. It was some such advice from you which I wanted to introduce the matter with him. Our chairman was becoming perturbed.

"Enclose correspondence in re Weil, which explains itself; at least, I hope you can read enough—some between the lines—to see where the hitch is in your receiving the funds in question. Levy's, enclosed, to Autrey, is subsequent to other correspondence between us, some of Levy's letters being unanswered by Autrey. L. is sore, and states to me positively that if Weil's too small assessment is cut in two, he, Levy, will divide his in half. I'm afraid he means it, and that, you understand, would entail a loss to our treasury of one-half of ten thousand, or \$5,000



—a serious matter. If suggestions are in order, I would offer the idea that Weil's subscription be underwritten to the extent of the lacking \$750—and thus save the \$5,000. If this should be done, wire me the guarantee, and I in turn, having Levy's promise, will see to the immediate forwarding of the \$15,000 to you. I have Levy's promise for this, and then, in my opinion, the further remittance can go forward in full as originally outlined. I hope you will not under-rate the case; relations as at present between Hamilton, Autrey, Weil and Levy are most fortunate. Yours truly,

"Encls. J. E. W.—B.

"P. S.—My information is that Hamilton and Autrey practically own the Weil business."

"Fort Worth, Texas, May 16, 1911.

"Mr. R. L. Autrey,

"Care Houston Ice and Brewing Company,

"Houston, Texas.

"Dear Mr. Autrey:

"I have addressed you two or three times regarding the assessment we made against the firm of

Edward Weil & Co.,

who has paid just about one-half of the amount which was assessed. This is not satisfactory, and I am not going to stand for it, and I want you to get after them and see that this fellow puts up the full amount we assessed him, which, by the way, is just about half of what he ought to pay, as we understand he is doing \$100,000 more business a year than we were aware of, and unless he does come across with the amount we notified him he was assessed, I will do likewise with my own assessment. This is the last time I propose to call your attention to this matter and you and others will be the sufferers, because I am not going to be taken advantage of in this manner by this party or anyone else.

"Every other jobber in the State who was assessed has paid their full assessments and nobody has refused to do so except Weil, whom we assessed a great deal less money than we should have, as, according to the amount of business he is doing, he ought to pay at least one-half as much again.

"I am bringing this matter to your attention again because I know you and Mr. Hamilton are largely interested in this business and besides you are large contributors to the State fund and you, therefore, should not hesitate to make this man do what the rest of us are doing, namely, paying the full amount we were assessed.

"Kindly let me hear from you by return mail what we may expect, as the time is rapidly drawing near when we will have to turn this fund over to the proper parties. With kindest regards, I am, Yours very truly,

SAM LEVY."

"Fort Worth, Texas, May 17, 1911.

"Mr. R. L. Autrey,

"Care Houston Ice and Brewing Company,

"Houston, Texas.

"Dear Mr. Autrey:

"I am in receipt of your day letter of even date and in reply beg to state to you I wrote you under date of April 27, and enclose you herewith copy of same.

"I also had Mr. Weeden write you several times. Mr. Adoue is calling upon us for some money, but I don't propose to send any money down there until these people, who I know are plenty able to do so, pay the full amount of their assessments. As I have previously stated to you, we assessed Weil & Co. away below the amount they ought to pay, as we now understand they are doing \$100,000 a year more business than we figured on, and until their assessment is paid the money will not be forthcoming. As soon as I hear from you that the matter has had your attention and the money is in the mails, I will then comply with Mr. Adoue's request, but not before, as I can assure you we are doing all we possibly can in this part of the State and the people in the southern part must also help us and do their share and come across with the full amount of their assessments. With kindest regards, I beg to remain, Yours very truly,  
SAM LEVY."

"Fort Worth, Texas, May 18, 1911.

"Mr. R. L. Autrey,

"Care Houston Ice and Brewing Company,

"Houston, Texas.

"Dear Mr. Autrey:

"I am in receipt of your check for \$562.60, being the amount of back assessments due from Edward Weil & Co.

"I suppose that you understand there is still one more installment due from that concern, which is payable on June 1 and amounts to \$531.25, and I hope that you will see to it that check is mailed promptly on or before that date in settlement of the third, or last, installment.

"Thanking you very kindly for the interest you have taken in this matter, I beg to remain, with kindest regards, Yours very truly,  
"SAM LEVY."

Martin Casey & Co. Edward Weil & Co., mentioned in the foregoing correspondence, were Texas corporations, and Sam Levy, therein mentioned, was, and acted as, the president of the Casey-Swasey Company, a Texas corporation, and the other parties therein mentioned were and acted as the officers of said association and its members.

(g) Petitioner shows unto the Court that the foregoing demands were made upon hundreds of persons, firms and corporations in Texas, in the various States of the United States and in foreign countries. That such demands were reinforced by threats and understandings of future boycotts against such persons, firms and corporations as would not respond favorably thereunto, such threats and understandings being conveyed by the letters themselves the circumstances under which the demands were made and in other ways; that by reason of such demands, etc., hundreds of such persons, firms and corporations were caused to and did make such payments to be used for the purpose of af-



fecting, influencing or controlling the results of elections held in Texas in which elections only certain citizens of Texas had a lawful right to participate, and with respect to which the law and sound public policy required that they be held and the results thereof obtained free of outside and all improper influences. That sound public policy required that no person not a citizen and resident of Texas should have the right or privilege of participating, directly or indirectly, therein, and both law and public policy forbade the participation therein, directly or indirectly, by corporations, foreign or domestic; and that, notwithstanding these things, the defendant and the other members of the Texas Brewers' Association used the franchises and powers conferred upon them by their charters and the law, and usurped and used powers and franchises not conferred upon them by their charters or the law, and their means and assets to cause such non-resident persons and firms to use their funds, and cause such corporations, domestic and foreign, to misuse and abuse their corporate franchises and powers and funds, for the purpose of affecting, influencing or controlling the results of such elections in Texas contrary to the law and the sound public policy of the State.

(h) The aforesaid funds, amounting to many hundred of thousands of dollars, have been collected and used by and through such association and its members, officers and agents and by them from time to time disbursed for the accomplishment of the purposes and the carrying on of the work and acts hereinafter more fully described, such purposes, work and acts being known to, caused by, acquiesced in and ratified by each and all of such members, and the same being, each and all, the purposes, work and acts of each of such members—including defendant—for the accomplishment of which each and all of such members have for many years systematically and continuously misused and abused their corporate franchises and powers, usurped franchises and powers not conferred upon them by law, and misused their corporate funds, means and assets.

(C) Some of the purposes and work of such association—and its members through it—have been described hereinbefore, but petitioner in this connection shows unto the Court that among the general purposes and work thereof, and for the accomplishment of which the aforesaid funds have been collected and used, have always been, and now are, the following, to-wit:

(1) The payment of poll taxes or the advancement of money therefor for many thousands of persons in Texas whose views and tendencies with respect to the subject matter of the elections herein referred to were known to and in accord with such association and the defendant and the other members thereof, each year in order to qualify such persons for the exercise of the right to vote in such elections, and this is especially true with respect to qualifying members of the negro race therefor.

(2) The carrying on of an active campaign each year to induce persons known to such association and its members to have views in accord with those of the members of such association with respect to the subject matter of the elections herein referred to, to secure poll

tax receipts and thus to qualify such persons to vote in such elections. This campaign was thus carried on by the sending out of paid agents and emissaries amongst such persons to urge them by personal appeal to secure such poll tax receipts; by the publication of many thousands of cards, circulars and pamphlets urging the securing of such receipts and the wide-spread distribution of the same amongst such persons; by furnishing financial assistance to various other organizations working to the same end, and in other ways.

(3) The payment in whole or in part of the campaign expenses of various committees and organizations interested in the success or defeat of the questions involved in the various elections and precincts in counties of the State itself with respect to the sale of intoxicating liquors; the payment of the wages and expenses of "workers" in such campaigns and elections; the maintenance and operation of permanent campaign headquarters to take charge of or participate in such campaigns and an office and a field force of paid agents for such work; for the printing, publication and distribution of all species of literature in such campaigns; the use of money in various ways to prevent the calling or holding of such elections; the use of money contesting the results of such elections, the buying of votes and influence.

(4) The use of money in attempt to affect, influence and control the results of elections for the selection of the various precinct, county, State, city, district and National officers from time to time.

(5) And for many other improper and unlawful purposes, the details of which your petitioner can not now allege, but which are well known to defendant and will be made to appear from the evidence.

(B) Your petitioner says that it can not now allege all of the details or all of the specific methods in which said moneys were used for the accomplishment of the aforesaid purposes, but it says all of such details are known to defendant and the same will appear upon final trial hereof. However, as illustrative of the aforesaid purposes, the ways and methods in which such moneys were used and are being used, in addition to the things hereinbefore alleged, your petitioner shows unto the Court the following, to-wit:

(a) During the years of 1903 to 1911, inclusive, said association had in its employment, and the defendant and such other corporations, the members of said association, through said association, had in their employment, as a special agent or campaign manager, one O. Paget, and it was a part of the duties of the said Paget to take part in various political campaigns and elections in various precincts and counties of the State in an attempt to control, affect or influence the results of such elections, and to prevent the calling or holding of other such elections and to contest the results of such elections and to secure the payment of poll taxes by persons known to the association to be in accord with the views of its members with respect to the subject matter of such elections and for all of such and other purposes to use the funds of the defendant, as above set forth, and of other persons and corporations collected through said association, and otherwise. Your petitioner says that he cannot now set forth the details of said Paget's activities in such respects, but that as illustrative of the things



which he did in such respects, as evidenced by his reports to said association and the defendant and other members of said association, plaintiff shows unto the Court the following:

During the month of August, 1904, there was held a local option election in the Crosby Precinct of Harris County, Texas, and said Paget conducted the campaign therein upon the part of those in favor of legalizing the sale of intoxicating liquors therein.

(1) During the same year said Paget took part in similar campaigns and elections in Runnels, McLennan and Limestone and Leon Counties, and in the Runnels County campaign said association, through said Paget, mailed to the individual voters more than thirty thousand pieces of literature.

(2) On March 7, 1907, said Paget made the following report to the chairman of said association:

"Along during the latter part of December a gentleman, friendly to our cause in Waco, made arrangements with some gentlemen here to assist such people as were not able to pay their poll taxes, by advancing them the money to pay their poll taxes with. One of these gentlemen, a Mr. Solon, was arrested for so doing and has been convicted and fined. \* \* \*"

With respect to the aforesaid case and another case of similar character said Paget submitted to said association the proposition of employing attorneys in an effort to have what is known as the poll tax law, or the Terrell election law, declared unconstitutional, such proposition being as follows:

"In the first place, they (meaning attorneys) will charge us \$200 attorney fees and their expenses for looking after this case, in any event, as to whether we win or lose. In the event they knock out the poll tax law entirely, which is their aim, they will charge us \$2,500 fees. In case they do not knock out the poll tax law, but only knock out that part of the Terrell law which states that we cannot loan money or give money to a man with which to pay his poll tax, they will charge us \$400 for knocking out that part of it. \* \* \*

'Now what Mr. Archenhold and I want the Wholesale Liquor Dealers' and Brewers' Association to do is as follows: Mr. Archenhold and I have agreed that the liquor dealers should pay one-third of this \$2,500. Mr. Archenhold is taking the matter up with the liquor dealers that they will reimburse him for his share of the one-third of the \$2,500, and I am writing you this letter, and sending a copy of the same to each of the breweries doing business in Texas, so that the Brewers Association will reimburse this agency for the two-thirds of the \$2,500 provided these attorneys knock out this poll tax law. In the event they do not get any kind of a favorable decision, Mr. Archenhold and I will pay this expense on our own account, unless it should be that they knock out that clause of the Terrell election law which prohibits us from loaning or giving money with which to pay poll taxes, and, of course, that would be a benefit to all parties in Texas, and we would expect the brewers to pay their two-thirds of this \$400, the fee which the attorneys would receive."

Plaintiff alleges that the aforesaid proposition was accepted and

acted upon by said association and its members, including defendant, and that said association through said Paget, and otherwise, paid out of the aforesaid funds a large amount of money in an effort to have the law referred to declared unconstitutional in the case of Solon vs. State and Bud Brown vs. State.

(2a) In a report of said Paget of date November 5, 1907, it is said:

"Now we will take up the cart before the horse, which in this case is the Gainesville proposition. That committee seems to be running things to suit itself. We have sent them, as I think I told you, nearly a hundred thousand pieces of literature, which they are using properly and to good use, and we will do what we can to help them. I do not think they ought to make any requests for contributions from the brewers, as the saloon men of that city are financially able to furnish the funds required, which in their manner of conducting the campaign cannot be very much.

"Upshur County—I made a trip up to Longview and met six members of the committee, and they told me they had raised two thousand dollars, and they wanted \$2,000 more. I got them down to \$1,500. This money they can secure the services of———. Also ————. With these men to work we ought to win the county by five hundred. If they are on the side of prohibitionists it will go for the pros for even a larger majority. Do not for a moment forget that these men are grafters of the first order, but they have you where the boy had the donkey, by the tail, and can swing Mr. ———— just as he pleases. There is no patriotism about it. With them it is the cold-blooded proposition and so they put it down. Their bull is their asset. It is no coney, no bird. I raised the proposition before Mr. Adoue and he said offer them \$1,500 contingent on the county going wet. I did so. If they will accept all right, even then there will be no election, or if they do not, Upshur County will have two more years of prohibition."

(3) In said Paget's report entitled "REPORT OF THE TEXAS BREWERS' ASSOCIATION FOR THE MONTH OF NOVEMBER, 1907," dated December 7, 1907, it is stated:

"Since the time that I was entrusted with the conduct of this office this is the first month in which I found it impossible to get out my monthly report, but I have been in so many places in the State and so widely apart that it is the first time in twelve days that I could come into Galveston for a whole day or get a moment in which to write, and I leave again tonight for Mills County. \* \* \*

"We carried in succession Cooke, Tom Green, Wichita and Williamson Counties. \* \* \*

"We had practical charge in Williamson, and if we had not been hampered by a most inefficient local committee the majority in that county would have been not less than 600. \* \* \*

"There was an election on the 3rd instant in Potter County. The result is in doubt. \* \* \* The writer has been wired for and will go. \* \* \*

"There will be an election today in Upshur County—on the 16th



in Mills. Our chances for success in either are small, but we are making a fight. \* \* \*

"Thousands upon thousands of pieces of literature have been sent from the office into the several counties. \* \* \*"

(3a) In a report of said Paget, of date February 29, 1908, it is said:

"By request of certain antis at Pittsburg, Camp County, I went to that city, arriving there on the 26th and got into as close touch with the situation as possible. \* \* \*

"I met many of our friends who were instrumental in calling the election, and they had placed the management in the hands of Mr. \_\_\_\_\_, a man of considerable intelligence. He and his friends advocated for the present at least a 'still hunt' campaign, and taking into account all the circumstances they are justified.

"They claim a fair majority in the county and that they will make some gains in the town (a thing I doubt very much). After going over the case and considering it from all sides, they decided to ask for one colored worker, and they were promised Mr. Rayner, who is or ought to be at this writing in that county. They are to have no money sent or advanced. They will defray all expenses and in the event of carrying the county, expect to be reimbursed to the extent of \$500. If an open fight is made it will cost them \$2,000—a 'still hunt' about \$1,500.

"They have received from this office various pieces of literature to the extent of about 12,000 pieces and they are to hire men who will make a house to house canvass and distribute the literature."

(4) In said Paget's "BREWERS' REPORT FOR THE MONTH OF APRIL, 1908," dated May 1, 1908, it is said:

"I respectfully submit report for the month of April and in so doing will say that it was the quietest month in Texas since the writer became connected with your association, but, for the writer personally, the most strenuous and fatiguing, as he spent almost the entire month in Louisiana making speeches in planting the 'Texas Idea' in the 'Pelican State.' \* \* \*

"We are well up on literature, new and old, and prepared for any eventuality."

(5) In a similar report for May, 1906, it is stated:

"This has been a very busy month in this office, especially the latter portion of same.

"In getting signatures to the anti petitions, attending the Police Chief's Convention and the State Democratic Convention and copying the poll tax lists of eighty counties in the State, the office was kept very busy and many people were employed. \* \* \*

"Two elections were held Saturday, one in Kaufman County, which was dry; one in Waller County, a wet precinct. The dry county remains dry, the wet precinct remains wet. In Kaufman they waited until five days before the voting before they did anything. My report from there indicated the result, but it could have been won easily.

"An election is called for Pandora (Wilson County, Floresville county seat, S. E. from San Antonio, about sixty miles), for the 12th.

We have things in good shape and I look for an anti victory, but it will be close.

"The copying of the names of voters in over eighty counties put the office in better shape than it ever was in this regard, and I have one request to make, which I hope you will take up—it is this: When the antis present their petition at Dallas on the 8th and they have been examined by the committee, that they be returned to the presentor and let him send them to this office, because in the event of a State election (or a county) we have the names of 50,000 friends scattered over the State. You can readily see the advantage of this.

"The copy of the poll tax lists in the office is of great advantage also.

"The month has been a busy one and productive of good results."

(6) In a similar report for the month of June, 1908, it is said:

"The work done in the office last month is not such as will be interesting in a general report, though it was the busiest for a long time—calling for night work continuously. We copied over sixty county poll tax lists and all the signers to the petitions in South Texas, and we are now engaged on those of North Texas. The office has been busy supplying data to Dallas and San Antonio and the writer engaged in forwarding the work of those offices in various ways."

(7) In a similar report for July, 1908, dated August 1, 1908, it is said:

"To say that we had a busy month in July is putting it mildly and, in fact, I suppose no person connected with the association, even remotely, was idle. The writer traveled considerably in the interest of reform and the results will be seen next month when the cases come up in the various courts. \* \* \*

"The office was very busy—we completed the compilation of poll taxes of various counties and all the names signed to the anti petitions, as well as sending out much literature and receiving a large quantity from the National Association.

"Amongst the other work of the office we handled the local situation politically, and the results, as the figures show, are very satisfactory, and also organized and conducted successfully in Houston one of the largest torchlight processions ever seen in the State at a very trifling expense. \* \* \*

(8) In a similar report for August, 1908, dated September 2, 1908, it is said:

"I herewith send in my report for the month of August. The first part of the month and up to the holding of the State Convention 'politics in its various ramifications' took up the time of the office and all connected therewith. The local situation was a little 'mixed,' but it got straightened out, and the association is in better shape today to obtain anything it desires in Galveston than it has ever been heretofore. \* \* \*

"You are in place to bring forces into the field that will in event of election carry the State by not less than 65,000 majority.

"I have only one recommendation to make (and would not do that if you were not as well acquainted with the facts as I am) and

that it: We ought to be doing missionary work among the colored brethren without delay, as the enemy is hot after them at this moment. Another suggestion: Poll taxes for 1909 can be paid after the 1st of October, and all possible pressure should be brought to bear upon the antis to induce them to pay same. There is one thing to be considered in this connection, which is, next will be an 'off year' \* \* \* therefore, special efforts must be directed towards getting out the laborers to pay their poll tax."

(9) In a similar report for the month of September, 1908, it is shown that Paget and said association took part in similar elections in Polk, Lampasas, Hamilton and Wharton Counties. It is said:

"This office was very busy—we sent out many thousands of pieces of literature and advised and helped out cases and matters in several sections. All of which you were advised of, either orally or in writing, as they developed."

(10) In a special report of said Paget of date September 16, 1908, with respect to the conduct of the election in Lampasas County, it is shown that the association and said Paget took part in said election and that \$6,000 was subscribed to the campaign fund by local citizens. Thereupon it is said:

"Mr. Luedde (agent for August A. Busch & Co.) told his agent to guarantee \$500, and Mr. Colker (agent for one of the San Antonio breweries) said his people would contribute from \$150 up, as that was about the proportion their products were sold. The Schlitz will do nothing, but sent them some anti-prohibition tracts \* \* \*

"We went into a plan of campaign and they selected about 30,000 pieces of literature. \* \* \*"

(11) In a general report for the month of October, 1908, it is said:

"I herewith submit to you a report of the month of October, and it was a very busy month. The first work was done in Sour Lake. \* \* \*"

The report also shows participation in election matters in Leon and Galveston Counties.

(12) In a similar report for the month of November, 1908, it is said:

"I submit report for the month of November, due to the fact that I am more than busy and that you have had special reports every few days it will be brief.

"The following counties have had elections called therein, either by pro or anti—only two have so far been held.

"Rusk County, dry; called by antis.

"Henderson County, wet; called by pros.

"Caldwell County, wet; called by pros.

"Montague County, dry; called by antis.

"Montgomery, Precinct No. 6, wet; called by pros.

"Angelina, Precinct No. 4, wet; called by pros.

"HENDERSON COUNTY—There were two elections held in the country on the same day (27th, Saturday). One for the county, one for the county seat, Athens, which was dry. The county went wet by a good



majority, the precinct of Athens, dry, by three votes. (The writer has a call to go there immediately and set aside the election.) This county was fought from start to finish—writer went there, mapped out a plan of campaign. Messrs. \_\_\_\_\_ and \_\_\_\_\_ spoke; also the colored preacher, Stokes. \* \* \*

“CALDWELL COUNTY—It will vote on the 8th. There is an active campaign there. Writer spent several days in the county. \* \* \*

“Once more I ask that you request the breweries to notify you or this office when they hear of an election being called or agitated in any county or precinct—it will often save time and money, as well as the moral effect of a pro county remaining dry.”

(12a) In a similar report of date December 11, 1908, it is said:

“Besides the speakers in the county election we contributed \$250 cash and much literature.”

(13) In a similar report for the month of December, 1908, it is said:

“The month of December, 1908, was, perhaps, the busiest of the entire year. Elections were held in the counties of CALDWELL, HENDERSON (precinct), TERRELL, MONTAGUE.

“PRECINCTS—

“Montgomery—Porters, New Caney and Splendora.

“Henderson—Athens and Nalikoff.

“Angelina—Zavalla and Dibold (called off) \* \* \*

“IN DETAIL—The election was hard fought and expensive in a measure in Caldwell—the hardest fight the writer has been in for many months. \* \* \*

“MONTAGUE (dry)—Was a ‘still hunt.’ We sent in literature—a good quantity. \* \* \*

“ANGELINA—Two elections were called—one in Dibold precinct—one in Zavalla. The election in Dibold was discovered to be illegally called, notified our people and it was abandoned—that in Zavalla we did not know of till three days before the election—too late to get in and do anything.

“MONTGOMERY—Election called in New Caney, Splendora and Porters. We were notified in time, got properly organized and won a clean victory.

“The Henderson county election, last month, we won, as already reported, but the Athens precinct election held on same day, the pros claimed by three votes. We opened a legal contest, and I am pretty sure that the case will be turned in our favor \* \* \*

“From the foregoing it will be seen that the office was kept rather busy, as the quantity of literature sent out was unusually large. \* \* \*

“I take the liberty of remarking here that if this office could be put in touch with localities where elections are threatened, in 75 per cent of cases they can be stopped. \* \* \*

“In the latter portion of the month poll tax matters have given us much concern. The sentiment has been aroused in various parts of the State, and more especially amongst the colored brethren, to get into line and pay their taxes. In almost every city in the State meet-

ings are being held and colored poll tax clubs are being formed.  
\* \* \*

"The office was very busy. We got out some very valuable statistics. If a detailed report of all the work done by the office was given it would make too extended a paper. I will, therefore, close with the remark that the payment of poll taxes is today the vital question."

(14) In a report dated January 7, 1909, it is said:

"I came to Dallas by request of Mr. Autrey, to ascertain the condition of poll tax paying in this city and look over the situation generally, so that I could give you and him a report of the exact condition. I did so and report as follows:

"\* \* \* I went to Fort Worth and found that city in the best condition of any city in the State. Mr. Cetti has it properly worked (by Mr. Cetti meaning president of defendant). \* \* \*

"Mr. Cetti was much pleased with the circulars and liquor dealers requested me to get, if possible, the president of the barkeepers' union of Fort Worth to sign it. I had no trouble so to do—he was anxious to put himself on record—so I had the circulars reprinted with his name on it.

"He was pleased with the cards such as Colonel \_\_\_\_\_ had printed, and asked that 500 be put up in Fort Worth, and I so promised. Dr. \_\_\_\_\_ will see to their distribution."

(15) In a general report for the month of January, 1909, it is said:

"I herewith submit my report for the month of January, the busiest month this office has spent since its opening. It has been somewhat expensive, but considering the amount of work done, is only a trifle—a very small trifle at that. All bills have not as yet been paid, but \$2,000 will cover all and every expense of the poll tax payments and the Brewers' Association can justly claim that come what may, submission or no submission, the pros are beaten. It is not alone that as many poll taxes have been paid as last year, but it is the men who paid them. Eighty-five per cent are laboring men and negroes.

"When, on instructions from you, on the 7th day of January, this office took up the subject of the poll tax, the anti forces of the State were demoralized—nothing had been done to get our forces into line. Of course, I am aware that now the work is done there will be many to claim the credit, but put this down as a basic fact, so far as any interest in paying poll taxes is concerned on the anti side nothing had been done—if you can cite me one county in which a 'chairman' had been at work—in getting antis to pay up you will do something that I have not been able to do. Bear in mind the writer is claiming no credit—give it to the man in the field—and they did good, all of them, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ (white men), and Stokes, Rayner, Watson, Wilson and the host of colored preachers, who in the highways and by-ways of the State roused up the negro to claim and qualify for citizenship—these are the men who did the work, ably assisted by \_\_\_\_\_ and Judge \_\_\_\_\_, who, without pay,



took the platform in defense of liberty of conscience and citizenship qualification. \* \* \*

"Let me say here, and thank the members of your association at the same time, that the request for the names of all their agents, wholesale and retail, met a quick and hearty response, and the work of these agents in every part of the State helped beyond measure to swell the tide of anti poll tax payers—your field agents everywhere met these men, and each and all (with one exception) gave earnest and intelligent co-operation.

"Tarrant County's splendid showing is due solely and entirely to the local people—the writer paid two visits to Fort Worth—at neither time did he interfere, except to aid in billing the town with cards, etc., which work was done by Dr. \_\_\_\_\_.

"Dallas was a hard proposition. My first visit on the 6th, it was dead. The credit of the fine showing made in the windup is due mainly to \_\_\_\_\_ (meaning an employe of the association), and if we could have had the hearty co-operation of the Tax Collector we could have had 2,000 more votes. \* \* \*

"The office sent out over a quarter of a million hand bills. Galveston took 30,000, Dallas 25,000 and one man, Mr. \_\_\_\_\_ (meaning an employe of the association) put out between 50,000 and 60,000; Dr. \_\_\_\_\_ (meaning an employe of the association), 40,000; \_\_\_\_\_ (meaning an employe of the association), 30,000, and of the 700 wholesalers and retailers nearly every one took from 100 to 5,000. If we had had ten days more or four more men in the field there would have been 700,000 poll taxes paid.

"We distributed by tacking up and otherwise placing 20,000 colored cards and mailed circulars (between 5,000 and 6,000) to every retailer in the State and two sets to every agent. \* \* \*"

(16) In a similar report for the month of February, 1909, it is said:

"I respectfully enclose report for February. It was not quite so busy a month as January, but there were few idle hours.

"The reports from the various counties are in and show the result of work done by your agents in advocating the payment of poll taxes, and will cite here just one county, Bell, where an election was threatened. This is taken from the record of the collector's office and the election returns. \* \* \*

"The 'war is on.' In every possible county and precinct which are now wet the pros will bring local option elections. Trading on the fact that the Legislature refused to submit the State-wide proposition, at the behest and under the whip and spur of the political pulpiter and 'reform' grafter, in every Baptist, Methodist and 'Christian' Church subscriptions are being raised to carry on the fight and money is rolling in to their treasury, while the antis are making no effort to stem the tide, but leave it all to the brewers. \* \* \*

"The pros have called an election in Leon Leon County, where the writer will be when this reaches you, as Centerville and Marquez are the only wet places in the county the outlook is not bright.

"On the 18th a precinct election will be held in Miles, Runnels County. I have taken the matter up.

"They were about to call an election in the Rosenberg precinct, Fort Bend County. The writer went there and is in hopes that it will not be called. \* \* \*

"The office was busy—literature sent and much work, local and general, has been performed."

(17) In a report of date March 4, 1909, styled "REPORT OF LEON COUNTY," it is said:

"I found I would have time by coming to Galveston en route to Runnels County, as trains were all late, and there was much to do here on account elections in other places, poll tax lists, literature, etc. \* \* \*

(With respect to the Leon County election the report states.)

"We went over the situation carefully. I had ten copies of the poll tax payers, which were made in his office.

"There was raised amongst the persons present and handed to the treasurer, \$500. They expect to raise about \$200 from the liquor dealers. It will take \$1,200 to make a successful campaign. They will draw upon this office for \$200, but if they are to be helped this is not enough. \* \* \*

"This office is at present getting out the addressed envelopes in which they are going to send out their literature—there are no facilities in the county to do such work—and we did it for them at the last election. They will fold, insert, stamp and mail the literature out.

"They want Rayner and Stokes (meaning employes of said association) to work amongst the negroes, of whom there are over 600 voters in the county.

"They hope to get along without any white speakers, but if the pros force them to it, will ask for them."

(18) In report for month of March, 1909, it is said:

"The prediction that March would be a busy month was fully justified by the course of events. It was withal a very successful month so far as the association is concerned. \* \* \*

"An election was held in Miles, a large precinct in Runnels County. Your office took charge of same—we won by a sweeping big majority.

"An election was held in the County of Leon and it was a 'royal scrap.' Had very little hope of winning same. The fight was 'personally conducted' by your office and we made a winning—the credit of the victory is largely due to D. R. Stokes, our colored preacher. \* \* \*

"The writer was sent to Alice to stop, if possible, an election in that precinct (Nueces County). He succeeded, he believes. A full report thereon was submitted to you and the breweries supplying the trade. \* \* \*

"The office was busy. The writer had a busy time and was absent most of the month, but there was no delay in sending literature or giving prompt attention to all inquiries.

"Now in closing I would like to call your attention to Texas in



contrast to other States. Since you have taken charge we have steadily won, and lost nothing practically. \* \* \*

"Your office has been practically alone in the several fights. \* \*

"There are many elections slated for May. Those advertised are Kerr, Goliad, Bee and Wilson, to which can be safely added LaSalle and perhaps Angelina. It would be well to bear these facts in mind and send to this office the names of the brewery agents in each of the counties, or other good men with whom we can get into communication."

The report also shows a participation in the holding of an election in the Kingsville precinct of Nueces County, and an attempt to prevent an election in Fort Bend County. Also shows participation in election in Smith County.

(19) In a general report for the month of April, 1909, it is said:

"The writer traveled more miles in the past month than any other month since his connection with your association.

"The first trip was made to Paris, Lamar County, where the antis are active, and believe that if an election were held it would go anti. Met the business men and others interested, and they asked that an anti speaker be sent in to test the feeling of the people. Dr. ——— (meaning an agent of the association) went and remained nearly two weeks—he made a series of addresses and from letters received at this office from the men in Lamar County he was very successful and gave general satisfaction. The affairs of that county are in good hands and when the time is ripe an election will be called, but it will not be called till the time is propitious.

"Made two trips to Smith County, where the antis are impatient to hold an election, having about 1,400 names on the petition \* \* \* On the first visit there was quite a large meeting, but a woeful exhibition of cowardice. No one would take the leadership. After a long discussion, the writer told them that the TBA would in no sense connect itself with the movement, under the circumstances, and retired.

"An urgent second call was sent and writer went again to Tyler, taking, by request, Dr. ———, who made speeches in the county and as in Lamar County, gave satisfaction. This time an organization was perfected and committee formed. At this writing there are telegrams calling me once more to Smith County.

"In Bee County a proposition for an election was also being considered. Writer went to Beeville and Skidmore and believes that the danger of an election has been averted. Some necessary cleaning up will have to be done in that county.

"The election at Alice, Nueces County, will, no doubt, be held, though it may be that the counter petition gotten up in this office and signed by voters of the Alice precinct may decide the County Commissioners to refuse the call at this meeting.

"An election will be called at Fairfield, Freestone County, on the 10th inst. \* \* \* This we are likely to lose.

"Elections will be held in many precincts and counties in May. If any such come under the notice of the members of the association please notify this office. \* \* \*

"Copying poll tax lists of threatened counties, getting out and sending out literature has kept the office busy overtime as well as attending the routine work during writer's absence."

(20) In general report for the month of June, 1909, it is said:

"The month of June was a banner month for the association—the pros called nine elections, the antis four. \* \* \*

"The elections called by the pros, in detail, were:

"\* \* \* DALLAS COUNTY—This county has been exploited by preachers, proselytes and Anti-Saloon Leaguers till the people were stirred up into a frenzy. We went in and made a vigorous defense and won.

"WHARTON COUNTY—This county was exploited by this man Adams—he raked it as it were with a fine-toothed comb. It was a fight to a finish here—we had all our speakers in this county and some who were called in by the local antis—it was managed under the auspices of your office and we won by a big majority.

"An election was held in Rock Springs in Edwards County. It had been worked over by the Anti-Saloon preachers—the San Antonio brewers looked after it, as all our speakers were in Smith or Wharton Counties. We won by a safe majority. \* \* \*

"FREESTONE COUNTY—This county was made a test by the pros. Their best men were sent in, including Cone Johnson, Strong, Stewart and all their 'heavy guns.' We met them on every stump. The election was entirely managed by your office, even to furnishing a secretary and manager, as the anti chairman was only a figure-head. We measured our strength with them and won. \* \* \*

"LAMAR COUNTY—With the exception of literature in large quantities we took no part in the election in this county. \* \* \*

"CORYELL COUNTY—Contrary to the advice of your office, was brought on by ex-saloon men—the writer advised that not a dollar be spent there nor a speaker be sent in. The association felt that as they asked for aid it should be given. A fight was made, but only by the people we sent in—our speakers and a secretary—\$500 was contributed and they returned \$349.10 of the amount. \* \* \*

"The office was busy during the month—the writer was mostly absent. Almost every county in which an election was held had from ten to fifteen copies of their poll tax lists made.

"The amount of literature calls was startling—was sent in every case."

The report also shows participation in many other elections.

(21) In similar report for the month of July, 1909, it is said:

"The work for the month of July was simply a repetition of the many previous months—continued activity on the part of the pros—which had to be met by a greater activity on our part, and I am pleased to say successfully.

"There was an election held in Goliad. \* \* \* We won by a nice majority. \* \* \*

"The bitterest fight, which is not yet concluded, was in Hardin County. We met the sawmill interest, who spent much money. \* \* \*

"Another election to be decided on the 7th is being conducted in



Limestone County. This is a hard-fought battle. \* \* \* Our speakers are there—white and colored—meeting the pros at every point.  
\* \* \*

"The office has been unusually busy, about twenty nights overtime was put in getting up statistics and copying poll lists and getting out literature, of which we got out an immense quantity. This literature can be credited largely for the change of sentiment in the State. It is up-to-date, and compared with that produced by the National and other State associations, is far in advance."

(22) In a similar report for the month of August, 1909, it is said:

"It is not necessary to call your attention to the activity of the month of August on the part of the prohibitionists and a corresponding activity on our part. In the July report it was said that there would be many elections in August, and there certainly were. \* \* \*

"We won—

"Nixonville and Smiley in Gonzales County.

"Goliad precinct in Goliad County.

"Senora (practically the county), Sutton County.

"Mason County.

"Reagan and High Bank, Falls County.

"Oakwoods, Leon County; dry, went wet.

"We lost—

"Limestone County.

"Rockport in Aransas County.

"There are pending elections in Liberty County, in Shelby, Clay and Childress Counties, Floresville in Wilson County and two dry precincts in Henderson County. In Liberty, Bell and Floresville (Wilson County) I am looking for a victory—in the others, the result is, to say the least, doubtful. The best thing to be done in all is to get along on the smallest expense possible. This is not always easily done.

"There were poll tax lists copies by the office and copies of the brewers' challenge and other literature sent to every county official in the State. This required extra office help.

"Calls for literature were many—in every county and precinct in which an election was held literature was circulated, and if there is a change in sentiment in the State I think it is largely due to the class and quantity of the literature which you are distributing. It is all gotten out in cheap form except the book published by Dr. \_\_\_\_\_ (meaning an employe of the association), and copyrighted, which he has given the association, free of cost. \* \* \*

"The writer has been little in Galveston except during the first five days of the month, after which he has been every place where called or sent, but the office responded to every demand made upon it night or day—at all hours for matter which was essential in each case."

(23) In a general report for the month of September, 1909, it is said:

"I respectfully enclose report for the month of September, which was, as usual, a busy one. Briefly reviewed: There were elections in in five counties and seven precincts, resulting as follows:

"COUNTIES—

"Shelby, dry twenty-six years, remains dry.

"Childress, dry, remains dry.

"Clay, partially dry, remains dry.

"Liberty, wet, remains wet.

"Bell, wet, remains wet.

"PRECINCTS—

"Chandler precinct, Henderson County, dry, remains dry.

"Floresville, Wilson County, wet, voted dry. (The Commissioners have been enjoined from publishing result. Properly contested the antis will win.)

"Van Horn, El Paso County, wet, remains wet.

"Precinct, Oldham County, dry, remains dry.

"Precinct, Karnes County, wet, voted dry.

"Travis, precinct, wet, voted dry.

"Kerens, Henderson, wet, voted wet.

"There never was any hope for Shelby County. It was one of the first to go dry and will remain so just as long as its present semi-civilized population remains. Darkest Russia is not any more under the domination of the Czar than is Shelby under the rule of the Baptist and Methodist Churches.

"Liberty was well fought and well conducted under the management of local people. No speeches were made, but a great deal of literature was circulated and the colored voter looked after it. The colored vote was largely anti. \* \* \*

"Chandler precinct, Henderson County. This was called by an ex-saloon man who 'hoped' to win. We sent no money there; sent literature. \* \* \*

"The pending elections are: Huntington, Angelina County; Cleveland, Liberty County.

"The Huntington precinct is always a danger point in that county owing to the way a certain saloon down on the river in conducted, and if we win this fight it must be put out of business. \* \* \*

"The Liberty County precinct seems hopeless. A short review is:

"Nearly two years ago it went dry; we contested and held the place open. Last month the entire county held an election; it went wet, but out of 385 votes in Cleveland precinct it gave a pro majority of 67. While the county election was pending the court passed upon our contention, sustained our point and ordered a new election. \* \* \*

"There was an enormous quantity of literature sent out by the office to the several places where elections were held. In the Shelby County case, the material was mailed from here. In copying poll tax lists, etc., the office was busy. \* \* \*

"The open season for poll taxes has again come around and I hope this year it will not be left till January before any practical work is done."

(24) In a similar report for the month of October, 1909, it is stated:

"The report for October is not a cheerful one for us. It is one



in which 'our friends' the enemy have had decidedly the best of it, but it only accentuates the more, the one fact that a 'still hunt' campaign is a losing one for us, and further that it is only aggressive action on our part that ever wins.

"Opposed to this we have so far as I know 'officially' done very little to counteract the influence of our opponents. I hear of anti organizations, but on investigation I don't find them, and the matter is too serious to pass lightly. We ought to be at work.

"Take the poll tax matter, for instance. It looks as though previous years' experience was to be repeated. The time is now to begin. There is no need to spend much money, and not a dollar for poll taxes. Properly handled six hundred and fifty thousand poll taxes will be paid next year. This office can bring out the full strength of the colored voters, and if permitted, the laboring vote. It has done so previously and is now better prepared to do so than before.

"Last month elections were held in Huntington, Angelina County; Edwards County, McGregor in McLennan County; Precincts 5 and 8 in Gonzales County, and Cleveland in Liberty County. We lost in all but the latter, and it was the most unpromising of all. In not one except Cleveland was there an anti organization. They adopted the 'still hunt' with the usual result. In Cleveland it had gone dry by 86 votes in a county election three weeks before, and an aggressive fight on our part carried the precinct by 16 votes. \* \* \*

"I have advised time after time that when a 'still hunt' is desired that your association have nothing to do with the matter. It is a loss of money and prestige.

"I am looking for a busy month. (Meaning November, 1909.) There are about a dozen counties or precincts in which elections are threatened, and as the County Commissioners meet this month all over the State, the crop of campaign promises to be large. \* \* \*

"The office was as usual, busy. \* \* \*

"New literature is being prepared, and much has been sent out. The work of the office in that direction has, we hope, postponed elections in Falls and Wichita Counties."

(25) In a general report for the month of December, 1909, it is stated:

"At this time I will not send you an extensive report for the month past; in fact, it will be better to say the two months, as from the 1st to the 11th of December I was absent from the city practically all the time, and no report was sent you except special reports, no time being had to send you monthly reports.

"I will be pleased if you desire it, on my return from North and West Texas, for which points I am leaving this P. M., to make you out a full detail report of the entire work done in this office last year (meaning the year of 1909), in connection with local option elections, reform work and so forth. The monthly and individual reports to yourself (meaning B. Adoue, chairman of said association) contained everything that occurred. Of course, if we gave you a minute detail of the work done in the office it would keep one individual employed as a scribe continuously.

"There is an immense lot of unfinished work at this time, in connection with the poll tax matter. We are in the very middle of the work, and it is proceeding along satisfactory lines. You will note in my expense account that we have made no mention of the poll tax business, though the entire office, and some additional help, have been taken up exclusively in this matter since the 11th of December, and every meeting of colored educational bodies has been attended by our friends, who have kept down with considerable trouble all resolutions opposed to your interests. This of itself has been a considerable undertaking, but so far has been very successful. Every colored paper in Texas is carrying our advertisement, and is working in the interest of poll tax payment and from now on meetings will be held in all communities where the colored people are numerous, urging the payment of poll taxes. And I would suggest here that the white labor organizations receive our attention. I have made no effort in that direction yet as I fear to cross the lines of some other workers, and would be pleased to know if it is the desire of your association that we take up that work this year as we have heretofore. If any other branch of your association is attending to it I will be pleased to give them any assistance in my power. I will say in passing that I do not believe that the poll tax matter will cost us one-half this year of what it did last year, and I think the State will be as fully covered.

"In the year 1908 we had 24 elections. In 1909 we had 52, and from the present outlook there will be a proportionate increase this year (meaning 1910) \* \* \*"

(26.) Your petitioner says that said Paget and such other employes of such association, as the agents and representatives of such association and of the defendant and of the other members of such association, did all of the acts above described in his reports and did other similar acts during the period of time covered by such reports, and has continued to do such acts and accomplished such and similar purposes continuously from the expiration of such period and up until the date when he ceased to be an employe of such association on or about the — day of — A. D. 19—.

(27.) Your petitioner alleges that the defendant, acting together with the other persons and corporations named and as a member of the aforesaid association and through said association, caused said association and said Paget as the employe of said association and the other employes of said association to do all the acts and things hereinabove set forth, and that in the doing thereof and in the accomplishment of the aforesaid purposes said association and said Paget and such other employes used large sums of money, the same being composed in whole or part of the aforesaid payments made by this defendant and by the other members of said association, and that each and all of such acts and things as done by such association and said Paget and such other employes became and were and are transactions of the defendant and of each of such other corporations, and same were done by the procurement and with the knowledge of this defendant and the other members of such association and ratified by them.



(28.) Your petitioner says that he cannot now allege specifically the amounts of money so used in the accomplishment of the aforesaid acts and things by said Paget and such other employes of said association, but does say that said Paget for such purposes, out of such funds, disbursed and paid out during the year 1907 the sum of \$52,023 and that he paid out, out of said funds, at least this much money for such and similar purposes during each of the other years mentioned.

(29.) Your petitioner shows unto the Court that another department or branch of the work of such association, as the agency of this defendant and the other members thereof, and carried on for the same and similar and other unlawful purposes as the aforesaid Paget's work was carried on, during a large portion of the time embraced in the years 1904 to the present time inclusive, was in charge of and under the supervision of one Otto Wahrmund, who as the agent and representative of such association and of the defendant and the other members of such association used the funds so paid into such association by the defendant, and the other members thereof, for the accomplishment of the aforesaid general purposes, and while plaintiff can not now allege the details of all of such work so carried on by such Wahrmund, or the exact amounts of such funds so received and used by him, it does allege and show unto the Court the following facts and conditions with reference thereunto as shown by certain correspondence passing between said Wahrmund and Adoue and other officers and members of such association, on or about the respective dates therein shown, such correspondence being in words and figures, substantially as follows, to-wit:

(Where the initials "O. W." and "O. K." are used in connection with the correspondence they designate Otto Wahrmund and Otto Koehler.)

1.

"Galveston, Tex., May 23, 1907.

"Mr. Otto Koehler,

"San Antonio.

"Dear Sir:

"Your letter of yesterday received and your—— does not surprise me. The revelation is certainly unpleasant, but the facts are there. My estimate of expenses for next four months is as follows:

Mr. Wahrmund's credit past due.....	\$ 7,000
Mr. Morgan's credit past due.....	7,347
Two Houston breweries (about \$2,000).....	2,000
Overdrawn on the bank.....	3,000

Total . . . . .	\$19,347
Mr. Wahrmund's monthly expenses, four	
months . . . . .	\$ 4,000
This office contracts, about \$1,500 monthly..	6,000

\$29,347

to which must be added the expenses connected with elections called and to be paid which I intend to keep down as low as possible without endangering the cause. After the first of September I see no reason



for not making a very material reduction of expenses in all departments. In fact, it must and will be made; as you will say, there is a limit in everything and the limit has been reached. Yours truly,  
"B. ADOUE."

2.

"January 26, 1908.

"Mr. B. Adoue,

"Galveston.

"Dear Sir:

"It is very important that I have at once or as soon as possible the sum of \$4,000 or \$5,000. If convenient I wish you would arrange for this amount and transmit to me. Yours truly, O. W."

3.

"November 5, 1909.

"Mr. B. Adoue,

"Galveston, Texas.

"Dear Sir:

"I have your letter of the 3d inst., with check, for which I thank you.

"You ask for information if this covers my account and I must say that for one time it does not. You may remember that I advised you outside of the ——— matter that it was \$5,127, and I made it a round \$5,200, which leaves the ——— \$1,400 still unsettled.

"I will mail check tomorrow to cover in settlement of dues of Mr. Koehler and myself. Yours very truly, O. W."

4.

"November 23, 1909.

"Mr. Otto Wahrmond,

"San Antonio.

"Dear Sir:

"Your four letters of yesterday received. No. 1 calls for \$1,400 remittance, and here it is, check on National Bank of Commerce.

"No. 2 refers to Falfurrias, etc. Now that the election has been postponed, we must clean up the Mexican quarters. For that purpose I have offered my proposition to the Sheriff of Starr County, but I do not expect much from that quarter. I understand that ——— is the dictator of that county. Have you any means to enlist him in our cause? Herewith return ——— letter.

"No. 3, ———, is all right. He has done very good work for us but has been and is yet on ——— pay roll, \$50 a month. I believe that Mr. ——— should handle that, circulating, all the brewers can well afford to contribute \$150 each extra. ——— letter returned herewith.

"Wilson County appears to be in good shape, but eternal vigilance is the price of winning an election. Your comment on ——— organization is timely. He is **supposed** to be preparing for future campaign, **whereas we are now fighting the real thing, local option elections.** I hope you will succeed in drawing some fighting assistance from his organization. Yours,  
B. ADOUE."

5.

"November 27, 1909.

"Mr. B. Adoue,  
"Galveston, Texas.

"Dear Sir:

"I have yours of the 26th instant, and note carefully contents. If your reference is to me beg to state that I have never either by scratch of pen or otherwise given an expression with reference to the various candidates for Governor of the State of Texas. I have discussed the situation with intimate friends, yes, but to express a preference either verbally or in writing I have never done so.

"In regard to the other matter, beg to state that if you cannot ascertain from Mr. Autrey through Mr. ——— what he has to say I will find out from him who the party is and what his duties are supposed to be. I have reference to Lorsen.

"You have been advised of the result in Wilson County. It was a great victory and our last report indicates that our majority will be very near 300 votes. My estimate was about 200, not to exceed 300 votes. The range was wide, but it was county election and a difficult matter in consequence to estimate the result more closely.

"We had conference here yesterday in regard to election in Uvalde County, and as advised before I am really opposed to holding the election there at this time, as we are really not prepared to go into the contest as we should be. If we could arrange to have the same postponed, say until January, I feel content that we could so shape matters as to beat them beyond the peradventure of doubt, but I do not think that it can be done now, especially considering that the great majority of the business men are opposed to the holding of the election or to the election proper, if I may so express it, in that they are necessary in favor of local option or prohibition and in view of all this I have no hopes. We had conference yesterday with Mr. ——— from Uvalde. Mr. ——— Capt. Paget and myself, and we were compelled virtually in self-defense to do something, but as stated, I fear the result. I have call in now for Mr. ——— at Cameron and will have him go down there and if possible stop the election. Yours truly,  
"O. W."

6.

"December 3, 1909.

"Mr. B. Adoue,  
Galveston.

"Dear Sir:

"I am in receipt of your favor of the 2nd inst. and note contents. You mention the sum of \$35,000, but if you will kindly permit the suggestion beg to state when I spoke of the amount something between thirty and forty thousand, the sum was only approximated, and it is possible that eventually **the deal may not** be made at all. Mr. Koehler is now at work on this and as soon as something tangible will let you know, and suggest hereafter you kindly correspond with him with reference to this particular deal. Yours truly,  
O. W."



7.

"January 5, 1910.

"Mr. B. Adoue,

"Galveston.

"Dear Sir:

"As previously advised, it is important that we have a meeting of Texas Brewers' Association as soon thereafter as possible, say on Wednesday or Thursday, the place to be designated by you. To cover the payroll the enclosed bill, and am sorry to say certain other items of expense were incurred, but could not be foreseen, will require the \$7,445. \* \* \* Yours truly,

O. W."

8.

"January 7, 1910.

"Mr. B. Adoue,

"Galveston.

"Dear Sir:

"I am in receipt of your report made you by Capt. Paget under date of the 4th inst., and have perused the same with much interest. Would respectfully direct your attention, however, to the first page thereof, especially the paragraph reading:

"I will say in passing that I do not believe the poll tax matter will cost us one-half this year, etc."

"As previously stated, to put such things in black and white is a very dangerous proceeding. If anything of the kind is necessary we should not commit ourselves to that extent and I am sure you will appreciate this. I would not like to make an adverse comment on anything the Capt. does, but this is very dangerous. When I requested remittance of you I estimated one item of expense that we have. I have since received definite advice as to what the amount is. It is \$400 less than my estimate. If you have not remitted you may deduct that sum, but if check has been sent this can be made good hereafter. Yours truly,

O. W."

9.

"January 7, 1910.

"Mr. B. Adoue,

"Galveston.

"Dear Sir:

"I am in receipt of your favor of the 6th inst. with enclosure of check, which I return herewith. Judge ——— was here yesterday and I will write him today and notify him of the election in Milam County. He did no missionary work for us last month, but did make a few speeches for Mr. ———. Yours truly,

O. W."

10.

"January 27, 1910.

"Mr. B. Adoue,

"Galveston.

"Dear Sir:

"Referring back to our conversation when you were here last, beg to state that I have now used the sum of \$3,500 and more will be required for this particular purpose in the near future. I have

arranged with bank here to carry amount not to exceed \$5,000 on overdraft. \* \* \* Yours truly, O. W."

11.

"February 1, 1910.

"Mr. B. Adoue,

"Galveston.

"Dear Sir:

"My regular requirement will amount to the sum of \$6,150, for which ask your kind attention. I will report to you either verbally or by letter within the next few days what has been done on special arrangement decided upon at last meeting. Anticipating request from you I enclose herewith exhibit. Yours truly, O. W."

12.

"March 4, 1910.

"Mr. B. Adoue,

"Galveston.

"Dear Sir:

"\* \* \* In order to settle my affairs I will require the sum of \$6,600. This does not include sum of \$1,000 special purpose, which will have to be provided for later agreeable the understanding had at our last meeting. I beg to hand you herewith check sum of \$1,800, which a round figure and again a little in excess. Yours truly, O. W."

13.

"April 18, 1910.

"Mr. B. Adoue,

"Galveston.

"Dear Sir:

"Beg to advise you just returned from a layoff of couple of weeks. I will state my total disbursements for the last month amounted to the sum of \$8,093, which does not include sum of \$1,100 special account and as I had previously received \$7,400 special account, this would make all told \$8,500 special account. I also beg to enclose expense account of J. M. from which I note Mr. ——— resigned his position. He speaks of balance of salary, which I do not understand, and this will have to be explained by the Judge, as he has been paid each month. I am glad he cut this out and I expect him to cut out more. You will also note that there is an item of \$80 account of Grayson County which really does not belong there. Yours, O. W."

"P. S.—Kindly take up this matter with Capt. O. Paget. Dr. Griffin is under a \$1,000 bond and another man has his tent holding it until he pays him some money."

("Dr. Griffin," above mentioned, was a negro preacher, vulgarly known as Sin-Killer Griffin, who from time to time was in the employment of said association and engaged in its work of having negroes secure poll tax receipts.)

14.

"April 21, 1910.

"Mr. Otto Koehler,

"San Antonio.

"Dear Sir:

"Your letter of the 19th received, and agree with its contents—as a general rule—but like the liquor laws, it is difficult if not impossible to live up to. For instance, Hardin County after hearing Hamilton and Autrey and reading what you say about it should give it up, whereas I gave this morning instructions to Mr. Paget to return to Sour Lake and make a strong fight. I cannot assert whether the county is making an effort to keep it away. Expenses yesterday remitted to Mr. Wahrmund \$8,093, I have long ago arrived at the conclusion that all parties connected with the beer industry are attacked with the microbe of extravagance. \* \* \* Yours truly,

"B. ADOUE."

15.

"Houston, Texas, April 22, 1910.

"Mr. Otto Koehler,

"S. A.

"My Dear Mr. Koehler:

"I had a talk with Jim today up in his office and found things in very good shape. Of course, you need no assurances on that question because you are well informed yourself, and know that political matters of State-wide nature are in very satisfactory condition. Jim of his own volition brought up the question of having a committee of the brewers interested look into this account and see where the money that has passed through his hands has gone. He has vouchers for all expenditures and his possession of these vouchers keeps him uneasy. He wants to get the matter off his hands and show where the money has gone and then be authorized to destroy everything. I told him that I would write you about it and see if you care to take the work yourself or what you wish done. I have also acquainted Mr. Adoue with these questions. Yours truly,

R. L. AUTREY."

16.

"April 23, 1910.

"Mr. B. Adoue,

"Galveston.

"Dear Sir:

"I am in receipt of your favor of the 21st inst. and am glad indeed that you agree with me as a general rule even though you cannot carry out or live up to the suggestions entirely. Of course, the little expense which might be incurred by sending to Hardin County for the purpose of making the investigation of conditions and determining our chances would not amount to much and I feel sure that you would not incur any great expense in case of that kind. I must confess that I was simply thunder struck when I learned of the large remittances made to Mr. Wahrmund, and I had a talk with him in regard to matter this morning and he explained matters, but stated that it was a month in which he had a great many extra or special expenses. **Items to take care of on account**, of meeting friends to make the race for the Senate, also the House, but that he hopes to



be able to reduce this considerably; in fact, he tells me that he is absolutely certain that when the end of the year comes around that the average will be not to exceed the sum of 20 cents per barrel, not as much as 25, which you were all glad to offer him on a compromise. I hope the talk which I gave him will have a good effect. \* \* \*  
Yours truly, O. K."

17.

"St. Louis, Mo., May 4, 1910.

"Mr. Otto Wahrmund,  
"San Antonio Brewing Association,  
"San Antonio."

"Dear Sir:

"We received a letter from the Rev. J. B. Rayner, Calvert, Tex., who informs us he has been looking after the colored votes in your State, acting under your jurisdiction, and offering his services in our State campaign.

"We do not know whether we can avail ourselves of his services, but before answering his letter, since he refers to you, we would thank you to advise us whether the reverend gentleman has handled the matter to your entire satisfaction in your State. Yours truly,

"ANHEUSER-BUSCH BREWING ASSOCIATION,

"E. S. Clauss, Third Vice President."

18.

"May 6, 1910.

"Mr. E. S. Clauss,  
"St. Louis, Mo.

"Dear Sir:

"Noting your favor of the 4th inst. addressed to our Mr. Wahrmund, who is in Mexico, beg to state that we know the reverend gentleman referred to quite well; in fact, he has done very good work for us. He has a good address, is influential with his people and I have no doubt but what he will serve you well in the event that you make a deal with him. He has one very, very serious drawback, however, and that is his mania for money. He will everlastingly and eternally be after you for the sinews of war. If you desire further information suggest that you address Mr. B. Adoue, who also knows him quite well, and I feel sure that he will corroborate what I say in this respect.

"We are now right in the midst of a brewery strike, all of the boys having gone out on us yesterday. Whether or not we will be able to make a settlement I cannot at this time state. I only hope that the Lemp and Pabst people, who are doing a business in our city, will not interfere with our trade while the strike is on so that we may be able to win on some of our points. We have made them some concessions, but so far have not been able to arrive at a satisfactory conclusion. Yours truly, C. K."

19.

"May 8, 1910.

"Mr. B. Adoue,

"Galveston.

"Dear Sir:

"I have just returned from Mexico, and checking up find I need \$6,600, and will appreciate remittance to cover. In returning the bill of Mr. ——— beg to state he was employed and undoubtedly should be paid, but this is one instance in which I had nothing to do with engaging his assistance. Had I been consulted I would have insisted that his brother, Judge ———, do the work or employ someone to act in his behalf. My disbursements of late have included quite a number of items and involve a whole lot of money that did not properly belong to me at all. I take it Mr. ——— did all he could and I think he should be paid out of the general fund. Yours truly,  
"O. W."

20.

"May 28, 1910.

"Mr. Otto Koehler,

"San Antonio.

"Dear Sir:

"Your letter of yesterday received. The \$183 you paid for publishing Dr. Helt's article was a good investment. The same was inserted in other papers free. Immediately after reading the article I went after the Doctor and succeeded in locating him in Evansville, Ind., where they have started the National Reform League, and I expect to have the Doctor in Texas at an early date. The head of the league was here last week to arrange preliminaries. He spent Friday and Saturday with me and last Sunday we went to Houston, where he was introduced to one of the leading prohibitionists, who is against State-wide prohibition and is a strong supporter of ———. No mistake in this statement. My prohibition friend will meet Dr. ——— next Tuesday at Auditorium Annex, Chicago. I believe the Doctor coming to Texas under the auspices of some prominent prohibitionist will have a vast influence on the next July primaries. His expenses will be paid by the National Reform League. He will have **no** connection with the brewers or liquor dealers. Who supports the league is another question. Yours,  
B. ADOUE."

21.

"June 3, 1910.

"Mr. B. Adoue,

"Galveston.

"Dear Sir:

"I have just returned from my recreation trip. Mr. Koehler informs me that the Fort Worth people will be here Sunday morning next.

"With reference to financial affairs call me up by phone or wire me on receipt of this letter to what extent Mr. Zane Cetti has contributed. He has not replied to my last and several of my letters and I fail to see that after the last talk had with him he will do what all the rest of us do. At any rate, if we succeed in collecting \$10,000 and spend \$5,000 in the interest of all concerned we will be just that much

ahead. I wish you would kindly arrange for about \$6,700 to enable me to straighten out my affairs. As soon as I have matters here patched up it is important that we have a general conference. The amount I have will not cover a great many items which are agreeable instructions received at meeting some time ago at Casino. Yours truly,

"O. W."

22

"June 13, 1910.

"Mr. B. Adoue,

"Galveston, Texas.

"Dear Sir:

"I have been desirous of calling on you before leaving for Chicago tomorrow and from the latter place abroad, but have not been able to do so on account of the absence from the city of Mr. Wahrmond and being paid up, etc. \* \* \*

"There were a number of matters demanding my attention which had been closed up prior to my departure and I regret that very much. Yesterday there was a delegation here consisting of John ———, Alex ——— and S. T. Morgan, the gentlemen having called on an urgent mission. That we should send a number of speakers in North Texas on the submission question which has now been injected into the primaries, they being of the opinion that if this was done it would soon put an end to the prohibition fight for good. Of course, it will cost a great deal of money and after going into and discussing the matter thoroughly we assured them of our co-operation and support to the extent of \$10,000. \* \* \* Yours truly, O. K."

23.

"June 29, 1910.

"Mr. B. Adoue,

"Galveston, Texas.

"Dear Sir:

"I beg to hand you herewith letter from Prof. J. B. Rayner of Calvert, Texas, the same being self-explanatory:

"As previously advised there is considerable good in this party if he can only be held down at the financial end. As I do not know what has been done, take the liberty of referring to you. Yours truly, "O. W."

24.

"June 29, 1910.

"Mr. B. Adoue,

"Galveston.

"Dear Sir:

"I am in receipt of your favor of the 28th with enclosure of check as advised, for which I beg to thank you. Noting your remarks, I am convinced more and more every day that Capt. Paget has been and is doing better work than anyone with this, but as I have often remarked, all hinges on whether the business element is for or against us. \* \* \*

"I am awfully sorry you did not see fit to send me the full amount.



If you did not care to send all on one bank, drafts might have been made on several. To be candid, do not like to carry these overdrafts unless absolutely necessary. I understand all are paid, so presume there would be no particular inconvenience. As it is the amount sent will be just a little more than amount required to take care of overdraft. In fact, **Houston** party is ready and I had sent check anticipating your remittance. I expect to leave town Saturday morning to be absent several days, and would like very much to close my files prior to my departure. Would be under obligation if you will send me check for \$10,000 to reach me Saturday. Thanking you in advance, I remain, Yours  
O. W."

25.

"June 30, 1910.

"Mr. B. Adoue,

"Galveston.

"Dear Sir:

"I have your recent favor and am returning herewith all enclosures with reply to various comments in detail. The ———— Beaumont matter, I hope it did not come from a Texas source, although his remarks indicate to the contrary, for he speaks of a gigantic trust which unfortunately does not exist. Mr. Morgan's letter with reference to finances I may require for my business between \$6,300 and \$6,400 and I think considering the large quantity of beer sold in Texas this month 15 cents per barrel will be ample and prove an agreeable surprise to the various parties interested. The Penack advice was partially covered with my letter of yesterday, especially to Cameron man. I talked over matters. Our representative knows nothing about it and would not be believed if he did make a specific charge in regard to what our man did. Judge ———— letter to Capt. Paget is returned without comment. I have nothing to say in regard to this. The Davis letter I am not only surprised, but am sorry, to hear what this gentleman has to say. In this connection beg to state that there is another matter in the same order in which I am interested and would like some information so that the first opportunity I have to take same up with the party referred to I will do so with a view of getting further and full particulars. Receive what he has to say. Luedde's letter the information contained in this communication is really the most startling of all. The very idea of his ever having been smitten comes to me in the nature of an astounding piece of information, for as long as I have been in the beer business, and that is a great many years, I cannot recall his ever having been the victim. It is always and invariably the other fellow. Last, but by no means least, comes the report of Mr. Stein. Now, Mr. Adoue, I have absolutely no reason to doubt the truth of the gentleman's assertion, and admitting it to be a fact, then there is something very radically wrong about the situation. If one saloon is closed then all should be closed, or if one is open all should be permitted to remain open. There should be no discrimination. As matters stand now great injury is being done Galveston Brewing Association and the practice should be stopped at once. Yours truly,  
O. W."

26.

"July 7, 1910.

"Mr. B. Adoue,  
"Galveston.

"Dear Sir:

"In further relation recent favor in which touched on amount of finances I would require would ask you send me check for \$6,300 to enable me to take care of my affairs. I expect to have a conference in a few days with our people, at which time we will be prepared to wipe out the rest of the appropriation. I expect to see Mr. Bruhn this afternoon in regard to your suggestions pertaining to the bottled beer business. Yours truly,

O. W."

27.

"July 8, 1910.

"Mr. B. Adoue,  
"Galveston.

"Dear Sir:

"The ink on my communication yesterday relative to finances was hardly dry before I received an urgent request from our friend \_\_\_\_\_ for \$5,000, and I was also compelled to send the sum of \$2,500 to Fort Worth through Morgan, \$2,500 additional to another party. Also had to take care of an item of \$1,000, so in view of all this you had better send me out of the special appropriation the sum of \$12,000. The proposed meeting cannot take place, as our people are too busy. Yours truly,

O. W."

28.

"July 11, 1910.

"Mr. B. Adoue,  
"Galveston.

"Dear Sir:

"I beg to acknowledge receipt of your favor of the 9th inst. with enclosure. I think that we might as well wipe out the special account, as I have a number of special requests from our own people, and it will not have a chance to get very warm in the bank where I will deposit it, still I think that **we have** got a fine chance to win. At least they all say so and the indications point that way. I enclose herewith check for the sum of \$3,000 to cover as requested. Yours truly."

29.

"Houston, Texas, July 11, 1910.

"Mr. Otto Wahrmond,  
"San Antonio.

"Dear Sir:

"Your letter of July 9 received. I return herewith the correspondence from Pedro Flores of Falfurrias which accompanies it. I am fully aware of everything Mr. Flores has done in connection with local option fight in Starr County, and I know that he has spent about \$475. I have agreed to allow him \$175 and have sent him a check for that amount. I received your letter saying you had incurred some expense in connection with Starr County, which, however, in amount is only about one-third of all we have spent. I believe that as a matter

of fairness you ought to send Mr. Flores your check for \$150 or \$175.  
Yours truly,

R. L. AUTREY."

30.

"July 13, 1910.

Mr. R. L. Autrey,

"Houston.

"Dear Sir:

"I beg to hand you herewith exchange for the sum of \$5,000 to cover advances which you have so kindly made. Increase in Houston and Dallas and certain of the smaller items has put my account in the red to the extent of \$5,600. Yours truly,

O. W."

31.

"August 1, 1910.

"Mr. B. Adoue,

"Galveston.

"Dear Sir:

"I beg to advise I am now engaged in an effort to straighten out my affairs as far as it is possible to do so and I find it will require the sum of ——— dollars in order to do so. Of course, our great expense will stop from now on. In this connection beg to state when we had our last conference here on this subject I was determined that the estimate then made should fully cover our plans, but found much to my regret a few days thereafter that I would be forced to make certain allowances on which I had not calculated in different sections and for various amounts, list of which I will submit at our next meeting. I also at the earnest request of Messrs. Morgan and Autrey was compelled to increase amount of Dallas and Houston to the extent of two and three thousand, respectively. In order to settle this and not ask for any additional funds from our select few I beg to enclose herewith note for the sum of \$10,000 payable on or before forty days after date, and I wish you would send me check for same together with check for the previous amount mentioned in care of the Driskill Hotel, Austin, Texas. I would positively have refused to concede the two last items of expense which I have mentioned herein had I not received assurance from Mr. Koehler that we were certain to receive the sum of \$25,000 from other sources, and this money should come within the next thirty days, at which time I propose to pay the note, and it will give us in addition almost enough money to run us until the end of the year. Yours,

O. W."

32.

"Galveston, Texas, November 11, 1910.

"Mr. Otto Wahrmund,

"San Antonio, Texas.

"Dear Sir:

"The elections are over (interruption). Also the spell under which we have been for the past thirty days, and time has arrived for us to act. My intention is to be in San Antonio 22nd, 23rd, 24th and 25th to attend meeting of the Mississippi Congress, and a meeting of our association can be had at same time if agreeable to you. Very im-



portant business is confronting us. Reorganization of our Houston breweries principally. We must provide a competent assistant to Mr. \_\_\_\_\_, and for that position I have in mind Mr. \_\_\_\_\_ of New Orleans, who has done very good work. Another man who can give strong support to the cause of true temperance is Dr. \_\_\_\_\_ of Evansville, Ind., who made a very strong impression with Mr. \_\_\_\_\_ and whose services were declined by Mr. \_\_\_\_\_. If we can secure their services both men will give valuable assistance. The question of poll taxes must also be given intelligent consideration as well as other matters. \* \* \*

"Who should be asked to attend. Yours truly,

"B. ADOUE."

33.

"November 14, 1910.

"Mr. Otto Wahrmond,

"San Antonio, Texas.

"Dear Sir:

"Your letters of the 12th and 13th received; also telegram. Hope will undoubtedly be loaded today. I have detailed men to push that shipment.

"Beeville election—have heard nothing from it and shall follow your instructions not to meddle with it. Today's advices indicate that elections will be called this week at Andora and Lavernia, Milam County, one precinct in Liberty County, all wet places, and Lampasas County, now dry, is nearly ready to call an election. Paget is in touch with the four places. After reading the letter of the 14th I concluded not to call the next week San Antonio meeting. Yours truly,

"B. ADOUE."

34.

"November 30, 1910.

"Mr. B. Adoue,

"Galveston, Texas.

"Dear Sir:

"I am in receipt of your favor of the 28th inst. with enclosures as advised, for which I thank you. As stated in my letter of the 19th inst., the \$4,500 consisted of September disbursements, \$2,100; October, \$1,600; incidentals, interest on overdraft, discount on note, etc., approximately \$300, and the Judge \_\_\_\_\_ item which actually amounted to the sum of \$536 as explained to you in our second conversation had at the Casino. The \$4,800, three months at \$1,600, was an error. It should have been but two months at \$1,600, or \$3,200. When we made out calculations we figured it would take the sum of \$12,000 additional to run up to the end of the year. So I would suggest a call is unnecessary for that amount, \$6,000, and when the money is to hand that I be favored with remittance to cover for November \$1,600 and two months for Houston headquarters, \$2,000, or a total of \$4,600. We will owe account of \_\_\_\_\_ to the end of the year, four months at \$1,500, or \$6,000. I have paid him for one month, and he is likely to come for another month at any time, which is the reason I ask for

one month for myself and two for him. I am returning the letter of Mr. ——— as requested and will state Capt. Paget can help out a great deal in that respect. We have also given our people notice that we expect retailers to take care of local affairs in every respect. Yours truly,  
O. W."

35.

"December 12, 1910.

"Mr. B. Adoue,

"Galveston, Texas.

"Dear Sir:

"I beg to hand you herewith carbon copy of my letter written to Capt. Paget in reply to his of the 9th inst., which speaks for itself. I deem it advisable that we arrange for an early meeting with a view of devising ways and means for conducting our campaign on basis as outlined in my letter to Capt. Paget. I have had several conversations with Capt. Wahrmund on the subject, but it seems he does not lay sufficient stress on the importance of this.

"In fact, from his assertions he is not quite sure that agitation in this matter will do our cause good or the reverse, and I cannot understand it, although this may have been only a private talk to me. Still if that should be his real attitude and the same should prevail with other leaders, ———, ——— and other, then I would be at a loss to understand what is best to be done. You will hear from me again on this subject just as soon as Mr. Wahrmund returns from Mexico, which will be in a day or two. Yours truly,  
O. K."

36.

"Galveston, Texas, December 13, 1910.

"Mr. Otto Koehler,

"San Antonio, Texas.

"Dear Sir:

"Your letter of yesterday received, and its contents indicate you are in line with my views of **prohibition fight**, but beg to say that little or nothing is done at present outside of Paget's office. Last Sunday in Houston I asked Autrey to arrange for a conference with ——— at the earliest time possible. I am anxious to know what he intends doing. The four negro speakers and four white speakers employed by Paget will cover a great deal of ground, but they cannot go over the entire State. I have advocated the employment of Dr. ——— and ———. See enclosed circular and pamphlets. But some of our people say no outside talent must be employed. I believe the two men can render us valuable service and we should have them on the field soon as the election is called. It is without any special reason. I feel that perhaps it will not take place. Meantime I want to accumulate ammunition for the fight. Yours truly.

"B. ADOUE."

37.

"December 14, 1910.

"Mr. B. Adoue,

"Galveston, Texas.

"Dear Sir:

"I have yours of the 13th inst., contents of which I have carefully noted and am glad indeed you have coincided with me in my views on the matter referred to; also that something may be done. I hope that Mr. Autrey has arranged for conference with Mr. ———. Just as soon as I can possibly spare a day, which will be real soon, I will take a run over to see you and go over all with you personally, discussing in entirety with a view of arriving at what we may consider the best solution of the problem. Yours truly, O. K."

38.

"Galveston, Texas, December 19, 1910.

"Mr. Otto Koehler,

"San Antonio, Texas.

"Dear Sir:

"\* \* \* During the short time he remained here among many other things I impressed upon him the necessity of procuring men and money if we want to win next summer's election. \* \* \* Mr. Paget is making very good progress with the poll tax payment agitation and suggests extension of the movement. \* \* \*

"I have for the past ten days tried to have an interview with ——— to discuss poll tax situation, but so far have not succeeded. Yours truly, B. ADOUE."

39.

"Beaumont, Texas, December 20, 1910.

"Capt. O. Paget,

"Galveston.

"Dear Sir:

"The Rev. Jim H. McKimil was in our city last. Spent several days lecturing and urging the race to pay their poll tax. He spoke at my church on Tuesday night, 13th, to nice crowd. His argument was convincing; forcible. The writer spoke and endorsed what he said because he was right. No better man could have been found. The St. Paul Methodist Episcopal Church, for which I am pastor, enrolls over four hundred members and the main part of members are all alive and energetic. The literature Mr. McKimil is distributing is timely. He has done much good here in our city speaking at the different churches. Now anything that I can do to aid the work I will gladly do. Yours respectfully, P. C. HUNT,

"Pastor of St. Paul's Methodist Church, 535 Wall Street, Beaumont, Texas."

(Said McKimil and Hunt were negro preachers and McKimil's work, as described, was being done for and with the assistance of the Texas Brewers' Association and its members.)

40.

"December 21, 1910.

"Mr. B. Adoue,

"Galveston, Texas.

"Dear Sir:

"As I would like to settle with the Houston contingent I will appreciate it if you will send me check for the sum of \$1,500, or if possible for the whole \$3,000. Agreeable discussion of our last conference



in this city. I hope you will be able to do this without making any additional call this year. I returned from Austin last night and want to repeat again that all looks good to me. Yours truly, O. W."

41.

"December 22, 1910.

"Mr. Otto Koehler,

"S. A.

"Dear Sir:

"If there is any merit, and I believe there is plenty of it, in negroes and laboring men paying poll taxes, Paget's work will undoubtedly bring that result. See enclosed newspaper clipping and Beaumont letter. We received the most encouraging reports from all the places visited by our traveling organizers, both black and white. Yours truly,

"B. ADOUE.

"P. S.—I send you these two items to give you an idea of the work going on."

42.

"December 27, 1910.

"Mr. B. Adoue,

"Galveston, Texas.

"Dear Sir:

"I am in receipt of your letter with enclosure which I have read with interest. The meeting was merely nothing but bragon. Still as is their custom they will make all the noise possible through the medium of the newspapers. Noting your remark that nothing is being done outside of Capt. Paget's office in regard to poll tax payments, I feel that you are somewhat mistaken in that regard. I know that I personally and I feel that I can speak for the rest of our friends and other good antis and those interested in the sale of beer have stopped at nothing, even moving heaven and earth, so to speak, to induce such payments. Our efforts have not been confined to any one section of the State, either, but have extended from the Panhandle to the Gulf and from El Paso to Orange, Texas. Yours truly, O. W."

43.

"Mr. Wahrmond:

"If you have not already seen to it this is interesting literature. I hope your inside information with reference to prohibition is of substantial kind, but it is votes that will count if the election is called, and now is the time to stimulate poll tax payment by the antis. Little or nothing has so far been done outside of Paget's office and active work must be done next month by somebody. Do not judge the situation by San Antonio, where local conditions are undoubtedly ——— a large vote.

B. ADOUE."

44.

"January 28, 1911.

"Mr. Otto Koehler,

"San Antonio, Texas.

"Dear Sir:

"Your letter of yesterday received, noting the remarks of ex-

Senator ———. I fully agree with his views that if we win at all it will be by a very small majority. I do not agree with your suggestion as to how to deal with St. Louis and Milwaukee breweries; we want their assistance and they will help us. \* \* \* But we can rely on some contributions based on business principles. Sentimental action is the exclusive property of Mr. Adolphus Busch and I will see how much of it exists. Last Monday you remarked that my estimated amount of **Fifty Thousand** from Mr. Wahrmond was exaggerated. His expenses then amounted to **Twenty-two Thousand**, to Mr. Wolters, which leaves only twenty-three thousand in my estimate. Do you think it will be sufficient? I do not. We are face to face with a big fight and it is a brewer's fight and we must supply the ammunition and we cannot afford to leave anything undone which might lead toward success; to economize just now is playing with fire. Since last Monday I have received from and sent to St. Louis more telegrams than during the past five years. This evening I will be in Houston to meet ——— and ———. Also Hamilton, Autrey and Prince, which means work, work and money. Yours truly,  
B. ADOUE."

45.

"January 29, 1911.

"Mr. B. Adoue,  
"Galveston.

"Dear Sir:

"Noting your favor of the 28th, beg to state that Mr. Koehler was under impression that it would be on or before the first, whereas I thought that it would be at once. At any rate the first prox. is only a few days off and no doubt by the time this reaches you all interested will have responded favorably and in that event would ask that you kindly mail me check in care Driskill Hotel, Austin, Texas, in the sum of **\$22,000** to enable me to pay up what we owe both there and here. Yours truly,  
O. W."

46.

"Houston, Texas, January 29, 1911.

"Mr. Otto Wahrmond,  
"San Antonio, Texas.

"Dear Sir:

"Your letter of yesterday received with \$15,000 check. Last night arranged with Autrey for delivering **Five Thousand** to Mr. ———. The Adolphus Busch subscription. I have already acknowledged as lines indicate, St. Louis and Milwaukee will not act liberally and we must be satisfied with whatever they will give us. They are not involved, as Texas breweries are. First thing in the morning will send you remittance as stated in yesterday's letter. No reason for you and I advancing any money; all the interested parties must respond as funds are needed. Mr. ——— here after hour's conference with ——— and left last night for Washington. Will meet Mr. Hawes at St. Louis, etc.  
B. ADOUE."

47.

"January 30, 1911.

"Mr. B. Adoue,

"Galveston.

"Dear Sir:

"I am in receipt of your letter of the 28th inst. to writer and of the 29th inst. addressed to Mr. Wahrmund, the contents of both of which I have closely noted. I have not changed my mind and still hold the opinion had before that home breweries should not be taxed more than outside breweries. I had a long talk with Schmidt of Milwaukee and outlined my views to him exactly as I have with you, and it seems he is not familiar with the situation, for he is under the impression that we are receiving from the **McDermott-Gardner funds the sum of \$10,000 per month** and was very much surprised that they had **fallen behind even on the basis of five thousand per month.** He also informed me he was one of the three governing the distribution of the **McDermott-Gardner fund, which is contributed by all the large breweries of the United States.** Mr. Schmidt also takes the same view of the matter that I do in that we should handle the fund allotted to Texas direct and that those people should not be permitted to handle the same and that this was their contention, but that the Busch people in particular objected to it. This letter may be private information and he may not want me to impart it to you, but I give it to you for your guidance. It seems that both he and Clauss are with us and even if Valkamp is against us we have a majority. At any rate, would control the situation. At any rate they must not be permitted to lay down on us. If they do we must take exactly the same position, lay down on them, and tell them so in order to bring them to terms. We must tell them we will not continue to make these contributions unless they do the same, and as I understand the proposition it is no more than right and proper stand for us to take. **He says they would not hold back or hesitate on the question of a hundred thousand in order to win the battle;** so for heaven sake don't let the Busch people lay down on us. For unless they come to the rescue we will have to assume the same attitude and lay down just as they do. Unless we can get the desired assistance there is no use for us to try to continue to put up the **necessary fund** and let the outsiders share in the good results which would follow, which would be a manifest injustice to us, and I feel sure that if you will be guided by my suggestions that they will realize the justice of our contentions and help us out as we wish and as they should. I find furthermore that a great deal of money can be raised outside of this by private and business contributions. I feel satisfied that in this city alone at least the sum of \$50,000 could be raised in this manner, and we should be able to do the same in other large cities, notably Galveston, Houston, Fort Worth and Dallas, and in this way not have much trouble in raising quite a large fund and we should have no delicacy in proceeding that way, for this is not a brewer's fight, but one for the interest of all the people of the State. Of course, if they see that we take an active part and that we have already put up all the money that we will require, they will hold back and it would then be difficult matter to get anyone to assist us. Now please adopt my policy for a while and see if it will not bring the desired results. If we simply stand back and let



them know we mean business, that we are ready to lay down if they do, I feel sure you will soon note a decided change of attitude. This attitude you should hold towards Mr. Schmidt also and when he gets back home and reports what he has learned to these other fellows, mark my word, we will soon get results. I agree with you fully in that neither you or Mr. Wahrmond should pay obligations when money is not on hand to take care of same, for that is not right and is not business. When this was ascertained the issue should have been made right there and then. Yours truly, O. K."

48.

"February 11, 1911.

"Mr. B. Adoue,

"Galveston, Texas.

"Dear Sir:

"I am in receipt of your letter of the 9th inst. and note contents. In regard to meeting here on Monday next, 9 a. m., feel inclined to say that I can do more good in Austin; consequently may not be present.

"In regard to the agitation for local option elections in Caldwell and Runnels Counties, beg to confirm Mr. Koehler's advice of yesterday that we have the Lockhart situation well in hand, and we apprehend no danger in Runnels County; but, as stated, will discuss with Mr. Bruhn.

"I am pleased to observe that **Mr. Gardner Sent \$5,000**, and I hope that he will soon send more, as I am anxious to get rid of my \$15,000 note which I have in the bank here, and as soon as you are in position so to do will appreciate remittance to Austin in care of the Driskill Hotel. Yours truly, O. W."

49.

"February 19, 1911.

"Mr. B. Adoue,

"Galveston, Texas.

"Dear Sir:

"In further relation to letter of Mr. Koehler, written you yesterday, in regard to the Lockhart election, beg to state that prior to receipt of advice that the election had been declared off I had spoken to some very influential people of Lockhart looking to protection of our interests when election was called. In view of the fact that they have since decided to call it and Capt. Paget will go there, I wish that you would kindly have him call on me at Austin after he has been to Lockhart to permit of my discussing matters with him, as I will be in a position to give him some valuable information and advice.

"You may address reply to me care of Driskill at Austin, and oblige. Yours truly, O. W."

50.

"April 30, 1911.

"Mr. B. Adoue,

"Galveston, Texas.

"Dear Sir:

"Referring to the enclosed, beg to state that we agree with you in that it would be best to settle this claim, but at this particular time

we do not feel that we should be called on to do this, for we have done more than anyone else almost without exception in taking care of expense in local option contests, and I think that this money should be paid out of the general fund. Let us make one more exception and get rid of it. Yours truly, O. W."

51.

"Galveston, Texas, May 1, 1911.

"Mr. Otto Wahrmond,

"San Antonio, Texas.

"Dear Sir:

"Your letter of yesterday received, and I follow your suggestion. Have sent Mr. Saenger a check for \$333.33, which I hope will bear fruit in the shape of anti votes next July. Yours truly B. ADOUE."

52.

"May 3, 1911.

"Mr. B. Adoue,

"Galveston, Texas.

"Dear Sir:

"I am in receipt of your favor of the first inst., and pleased to note action taken. Feel sure that it will be prolific of much good to our cause, and again I have always felt as before advised that it was a just obligation. Yours truly, O. W."

53.

"Beeville, Texas, June 1, 1912.

"Hon. Otto Wahrmond,

"San Antonio, Texas.

"Dear Sir:

"I came here last Friday evening and went immediately to the house of the pastor of the Colored Baptist Church and found out he was carrying on a protracted meeting and was drawing all the colored voters to his meeting. Friday night we had a secret caucus with the best of the leaders. I told them how to mark their tickets and who could vote and set in motion some subtle forces which would get the colored voters to the polls. I will leave here this morning and be at San Antonio on Tuesday next. I leave the colored vote here well organized. I gave the colored pastor \$5 to help him buy a nice summer suit. I believe the election will be very close because Cyclone Davis has spoken all over the country. Yours truly, J. B. RAYNER."

54.

"514 Live Oak St. Phone Old No. 7264.

"San Antonio, Texas, July 9, 1912.

"Hon. Otto Wahrmond, City.

"Sir:

"Yours of the 8th inst. to hand. You say you have not the time to help me is a sad surprise. I am a protagonist in the cause of anti-prohibition. I have done more anti-prohibition than all the other ——— combined. I have placed the iron hand of Machiavelian diplomacy upon the religious, educational and business gatherings of my people and kept them from making campaign thunder for the intolerant and fanatical prohibitionists. I have wet a score of dry coun-

ties in Texas or kept them from drying. I merit the highest consideration from the patriotic antis. I represent the colored farmers of Texas, and I tell you their votes saved the State from the blighting hand of the prohibitionists. I saved Bee County. How can you and your friend ignore my importunities? Every saloon in San Antonio should donate to my school. I have stood undaunted before the frowns of religious women and endured the imprecations of mad prohibitionists and have been forced to lose personal property and mortgage the best of my property because of my fidelity to that liberty which gives every man a right to buy and use refreshing cool drinks, and my endurance and suffering has been your material progress. I am now doing all I can to make the colored pastors of your city your political friends. You say 'you will have to excuse me,' I will do so but when you need a colored vote and call on me I shall need tell you to excuse me. I will answer your call and give you liberty, efficient service. From now on you and the interest of Texas must record with me in all local option contests. I am not a renegade; but if you all want success you can have it through my labors. I am a man and I am as proud of my influence as you are of your great wealth and prosperous business. Can you forgive a slight or ignore it? I can when the liberty of man is in danger. I know my powers and you know yourself and when you slight my powers it proves that you don't need mine. Don't trouble to answer this letter. You 'have not the time to spare.' Yours for liberty.

J. B. RAYNER."

"July 12, 1912.

"Prof. J. B. Rayner,

"No. 514 Live Oak St., City.

"Dear Sir:

"I have yours of the 9th inst. and regret to note that you take view of matters which you do. I am not ungrateful and appreciate all that you have done and have never said 'no' before.

"I feel sure, however, judging from your remarks, that you do not appreciate my position and how extremely busy I am just at this particular time. Aside from that our people have been so importuned of late with requests for help or aid to charitable institutions, new railroads and other business enterprises that I doubt even if I had the time if anything could be accomplished. Later on when things shape themselves as we hope they will I will be glad to help you all that I can. Yours truly,

O. W."

(C.) In this connection, and as further illustrative of the work done by said association, petitioner shows to the Court that during the year of 1909 there was a local option election called and held in Limestone County, Texas, and said association, through its officers, etc., interested itself therein, and in other matters, as is shown by the following correspondence passing between its officers in charge of such work and its members, etc., on or about the dates therein mentioned, to-wit:



"Dallas Texas, August 5, 1909.

"Mr. Otto Wahrmond,

"S. A.

"My Dear Col.:

"I am just in receipt of your telegram telling me that my letter had been delayed and that you would write fully today. I beg to thank you for wiring me. I made some midnight trips to Limestone. Am glad to report I have succeeded in getting all the ——— elements that ever trained with me and my crowd lined up for the fight. I feel that I have done some effective work. The negro element of which I wrote you was in such bad condition I have succeeded in getting in first-class shape. I now believe we will get 90 per cent of the negro vote. It required more money than it would have taken had it not been for the Luedde play with the negro saloonkeeper. The indications now are that will be able to handle it on about four thousand. The first estimate was a minimum of five thousand. I now feel we have a splendid chance to win. \* \* \*

"I spent several days recently in Paris on a matter of my own. While there arranged for ——— and ——— to get ——— to make the race for the Legislature at next election. We will put him against the member that laid down on his instruction in the last Legislature. ——— is an anti-prohibitionist, well educated, a good public speaker, high moral character and very popular in the county. He is a son of ———. It is his plans to make a race straight against State-wide prohibition. ——— and ——— both say he can beat any man in the county for anything. His personal popularity will overcome the present incumbent. He will be a leader in the House and will be, in my judgment, one of the strongest men we could possibly elect. I had this matter up with him on a former visit and felt I had it arranged, but I know I have it all finished and I am feeling good that we have him so much interested. I shall in the same way continue to get out strong young men for the Legislature in the various districts in this section of the State. I want to look after Limestone and Freestone just as soon as the fight is over in Limestone. I feel this work should be done as early as possible, for to get them out and talking to their friends will in some instances at least keep others out of the race. \* \* \* Your friend,"

"Dallas Texas, August 11, 1909.

"Col. Otto Wahrmond,

"S. A.

"Dear Sir:

"I want to beg your pardon for not acknowledging receipt of yours of the 5th with enclosure of \$562.65. I have been in and out and pressed for time when in that I have delayed until it is almost unpardonable.

"The unexpected happened in Limestone. I cannot account for the result. While there was discord in the ranks of both white and blacks when first I got to the county, I had every assurance upon leaving the county that all was smooth. I had ever confidence in ———

in handling the citizens in the town, but the recent result is evident that he is a failure. While I had nothing to do with his selection I had every confidence in his being a good one. I had a talk with \_\_\_\_\_, two old warhorses, the night before the election. It was the judgment of both of them that the county was safe and that Mexia would give 200 majority for us. \_\_\_\_\_ and \_\_\_\_\_ handled the situation two years ago and the county went wet and Mexia gave us a majority of 240. Now it comes up ten majority for the pros. Information from men of this kind would fool the best of us. They had a poll list. It was claimed every man, both black and white, had been seen. The list checked over 200 majority at Mexia for us. The only way I can account for the result is that the negroes took their money and retaliated by voting the pro ticket to even up for the treatment received by the negro Dave Johnson that Luedde put out of business after putting him in business. \* \* \*

"I was forced to do my work in the shades of the night. With those only who I could trust to keep close counsel by letter and phone to the same kind of people. I feel that if I could have gotten on the firing line among them I would have sized up the situation. I regret that I had anything to do with it, for a man should never make a fight of any kind unless he can fight straight from the shoulder and on all parts of the ground. I am sending you what I am due for expenses incurred. Your friend,"

Petitioner further shows unto the Court the following facts and conditions with respect to the purposes, work and expenditures of said association, and its members through it, and otherwise, as shown in the following correspondence between the officers and members thereof, as such, on or about the dates therein mentioned:

"Galveston, Texas, April 8, 1907.

"Mr. G. H. Luedde,

"Waco, Texas.

"Dear Sir:

"Your letter of the 6th received and I answer, all the Texas breweries are interested in the McLennan County election, but their power or influence is very limited. Their interference in any way would be disastrous to our cause. The campaign must be managed openly by the committee of business men, who must assume the responsibility of success or defeat. The question of finances to which you attach most importance must also be settled by the business men's committee and not by the brewers' association. You have often expressed the belief in the strong power of brewers' money, which is correct in some things, but in local option elections in Texas during the past three years we have lost nearly all the elections where we spent large sums, and have carried nearly all where we spent only small amounts. Under your leadership McLennan County can be retained in the wet column, but the fight must be made by the county anti-prohibitionists on the

result of three years' observation, and now let me have your side of the question. Yours truly,

B. ADOUE.

"I believe Mr. Luedde can successfully handle the situation.

"B. A."

2.

"Galveston, Texas, May 12, 1907.

"Mr. John E. Weeden,

"Vice President Texas Brewing Co.,

"Fort Worth, Texas.

"Dear Sir:

"Since writing this morning I have been informed that the antis have called an election in McCulloch County. Some effort must be made to redeem it. The same remark applies to Eastland County. I let me know whether or not you want Paget's assistance. Copy of this letter is sent to Mr. Luedde, although I am inclined to believe he is not likely to be interested there on account of lack of transportation by direct route. Yours truly,

B. ADOUE."

3.

"Galveston, Texas, May 17, 1907.

"Mr. John E. Weeden, V. P.

"Texas Brewing Company,

"Fort Worth, Texas.

"Dear Sir:

"I am reliably informed that an election will be called for Eastland County at an early date. It is now dry and can be made wet if proper efforts are made. I suppose you are controlling the business in that territory? If yes, will you manage the campaign? Or do you want agent to take charge of it? The plan of campaign must be to induce a few leading citizens of the county to lead the antis and most of the money required must be paid by the citizens. I have written a similar letter to Mr. Luedde, who might be selling in that county.

B. ADOUE."

4.

"Galveston, Texas, May 21, 1907.

"Mr. J. E. Weeden, V. P.,

"Fort Worth.

"Dear Sir:

"\* \* \* There are now called nine elections to take place before June 15, and our time (can't read this) is all on the go. Mr. Paget will be in Teague, Freestone County, Thursday, and from there will go to Cisco, Eastland and Brado. After completing his work in the three counties will go to Smiley and Buenavides \* \* \* Yours truly,

B. ADOUE."

5.

"Galveston, September 12, 1907.

"Mr. Zane Cetti,

Fort Worth, Texas.

"Dear Sir:

"\* \* \* We carried Milam County and lost Llano; we had expected both results. Antis were prepared in Milam County and not



in Llano. We did all in our power to prevent calling that election in that county until next February, when poll taxes will be paid. Against our advice antis have called an election in Grayson County, and are making an investigation. We fear antis have made a mistake—should have waited till next February, but we will do our best to win. Same conditions prevail in Williamson County, but we hope to succeed in postponing call till next spring. Yours truly, B. ADOUE."

6.

"Galveston, Texas, July 14, 1909.

"Mr. John E. Weeden,

"Fort Worth, Texas.

"Dear Sir:

"As you may well imagine, I am anxious to close settlement, and for that I must have your remittance; all others have been received. On final closing, and after receipt of your remittance, I will be short about \$6,000, which will have to be covered by future contributions, as well as current expenses. Messrs. ———, Autrey and Wahrmund had a meeting yesterday at San Antonio, but I have not yet received a report on the subject. Hardin and Goliad remain wet. Crawford will be the next \* \* \* election; it will no doubt remain dry. **This office did all in its power to prevent the election in that precinct. Next in order is Limestone County; we expect to have there a very strenuous fight, similar to Hardin County, where we did win by only 24 majority.** The prohibitionists threaten a contest. Petitions are in circulation in several counties, and we must offer resistance, otherwise, local option would soon accomplish the prohibitionist object, close all the saloons and breweries. State-wide prohibition is not the only weapon of the Anti-Saloon League. Yours truly, B. ADOUE."

7.

"Galveston, Texas, April 24, 1910.

"Mr. Zane Cetti,

"Fort Worth, Texas.

"Dear Sir:

"I have received your letter 22nd inst. and you are absolutely correct in stating I 'do not understand the proposition,' and your letter does not in any way enlighten me as to your intentions.

"For instance, Mr. Morgan has since the 1st of January contributed over \$3,400; for the same period you offer to pay \$1,311.35. As the sales must be nearly equal, how do you arrive at that amount?

"If you will refer to my last letter you will see that the Grayson County expense is not included. Mr. Autrey did supply all the money, expecting to win the election (and he came within 230 votes out of nearly 10,000) and to be reimbursed by the brewers selling in the county. He lost, and should not be made to stand the entire amount, over \$8,000, **although he has not asked to be reimbursed.**

"The last two paragraphs of your letter, I do not understand. The only point involved is whether or not you have re-entered the association and if yes, on what basis? A clear answer will be thankfully received by Yours truly, B. ADOUE, Chairman."

8.

"Houston, Texas, May 14, 1910.

"Mr. J. E. Weeden,

"Fort Worth, Texas.

"Dear Sir:

"Just received your letter of May 12th. Yesterday I heard that the Palo Pinto election, that is, including Mineral Wells, was all off, that they had decided not to present the petition or, rather, to withdraw it from the Commissioners' Court, and, then again in the evening I heard that the petition had been presented and the election called for two precincts. Now, which is true? If the election is called, you should have Capt. Paget go there, and take vigorous hold and make an open fight, speakers and all, and don't do like they did in the Muenster Precinct in Cooke County, and like they are now doing in Cooke County, where they are going to lose, sure. Yours truly,

"R. L. AUTREY."

9.

"May 18, 1910.

"Mr. J. E. Weeden,

"Fort Worth.

"Dear Sir:

"Your letter 16th received. Mr. Paget has been instructed to give all the assistance in his power to win the Mineral Wells election. He has already visited the place, and will remain there next week, if his presence is considered necessary. Yours truly, B. ADOUE."

10.

"Houston, Texas, May 18, 1910.

"Mr. J. E. Weeden,

"Fort Worth, Texas.

"Dear Sir:

"\* \* \* I know that Mr. Adoue will be glad to authorize Capt. Paget to remain one week or the whole of his time in Palo Pinto County and keep it from going dry. **That is Paget's business** and must be given the preference over everything else, no matter what is on hand at his office. \* \* \* Yours truly,

R. L. AUTREY."

11.

"San Antonio, Texas, February 14, 1911.

"Mr. J. E. Weeden,

"Vice President Texas Brewing Co.,

"Fort Worth, Texas.

"My Dear Weeden:

"Mr. Adoue is today highly elated, and feels now that, with the Missouri style of campaign, we will probably win. \* \* \*

"W. J. ALTHAUS."

12.

"Galveston, March 1, 1911.

"Mr. Zane Cetti,

"Fort Worth, Texas.

"Dear Sir:

"Messrs. ——— and Hawes request that when the brewers write to them they would use plain envelopes, and plain paper. Last night

at Houston I attended an important conference of the advisory board Authorization was given for making a large contract for publicity in the near future. Mr. ——— was authorized to open a branch office at Dallas, where he will reside most of the time. He will not handle any law practice during the next five months. Messrs. ——— and Hawes are going to Dallas by way of Austin. They will be gone a few days. Yours truly,

B. ADOUE,  
"Per M. Adoue."

13.

"Galveston, Texas, April 12, 1911.

"Mr. Zane Cetti,

"Fort Worth, Texas.

"Dear Sir:

"Second call, please send check, and early answer will be expected. On that subject, I desire to say I see no special good reason for calling meeting of an association, but I do believe good will result from members making visits to our Houston headquarters where **Mr. Hawes will be pleased to explain progress of defense work**, and will be better pleased yet to receive advice and suggestions as to best method of handling your territory. We will soon have passed the preparatory period, to enter to active and progressing work, when we will need all the assistance we can get from our friends, especially from members of the association, and hope you will make it convenient to make frequent visits.

B. ADOUE.

"P. S.—This letter is also intended for Mr. Weeden."

14.

"June 13, 1911.

"Mr. Zane Cetti,

"Fort Worth, Texas.

"Fourth call—please send check. An early reply will be appreciated. Yesterday at Houston I attended a conference with Messrs. ——— and Hawes, for the special purpose of framing a budget which will limit expenses to our resource. I am determined not to have to meet a deficiency after July 3rd. I want our leaders to understand that I will not personally or collectively be responsible for any contract in excess of the appropriation, and we arrived at a satisfactory agreement. The difficulty, however, is to hold out against such demands as, 'Unless do this or that we run the risk of losing the election.' You have no doubt met that argument many times during the past ten years. It seems to be a part of the brewing business. Mr. ——— has confidence in a favorable result, but during the four hours' discussion he never said 'We will win.' He oft repeated expressions: 'We must win.' And I am in accord with his views. The antis have a big fight before the fifth call will be made by the end of this month and the sixth and last will be made early in July. Yours truly,

"B. ADOUE."

"Telegram.

15.

"July 10, 1911.

"Mr. J. E. W.

"F. W.



"Sixth and last call—please send check, as you may well imagine demands on the treasury are frequent and heavy. No. 5 has been paid by all the contributors. Yours is the only exception, and I hope it is coming very soon.  
B. ADOUE."

16. "Galveston, Texas, September 5, 1911.  
"John E. Weeden,  
"Fort Worth, Texas.

"Enclosed please find receipt of \_\_\_\_\_. He earned this; the glory of the victory is his. The memorandum given you has a list of the other expenditures. I would not be particular about this, but in view of the knockers, I think it due to myself. You will note I did not give any money to Mr. \_\_\_\_\_. Well, as we expected, Amarillo went dry. This is the result of home management. The loss is inexcusable and totally unnecessary. If I could have gone when called, the result would have been different, but I could not leave Palo Pinto County. With kind regards, Yours truly,  
O. PAGET."

17. "Galveston, Texas, February 4, 1907.  
"Mr. S. T. Morgan:  
"Dallas, Texas.

"Dear Sir:

"Last month's assessments did not cover my overdraft within \$3,000, not counting primary expenses, which amounted to more than that sum. Mr. Wahrmund is now a heavy drawer and will continue to be for a few weeks, and here comes my periodical nightmare. Please call assessment for November, 1905, as no doubt you at least presume I am in my humble way doing all I can to ward off inimical legislation at Austin. I spent yesterday at Houston discussing matters with Hamilton, who was thinking perhaps of going to Austin last night after having held a telephonic interview with Mr. Koehler. Let us hope of the many liquor bills presented one dictated by conservatism will prevail, and to obtain that result all the brewers must work. If you have any light on the subject would like to see it and any suggestions as to the best line of action will be very gratefully received. Yours truly,  
B. ADOUE."

18. "Galveston, Texas, June 12, 1907.  
"Mr. S. T. Morgan,  
"Dallas, Texas.

"Dear Sir:

"What do you know about local option election in Collin County? This morning's News reports application has been made for an order of election. If the call is made by some of the leading citizens, and if the antis are in earnest, and if the breweries controlling the trade in that county want it wet, it will go wet. Past experience has proven that brewers' interference in the way of money or speakers will avail nothing unless local conditions are favorable. Last Saturday Free-stone County was voted wet after fourteen years of prohibition. We assisted, but local influence carried the election. Before sending Mr.

Paget to McKinney to investigate the situation, I would like to know your views and your wishes. Collin is in your territory, and we must avoid a repetition of Ellis County election. Yours very truly,

"B. ADOUE."

19.

"Galveston, Texas, June 18, 1907.

"Mr. S. T. Morgan,

"Dallas, Texas.

"Dear Sir:

"Your letter of the 14th received. Am pleased to read 'I would like to see Collin County in the wet column, etc.' If the election is called the antis can win and will carry the election if properly handled. I have learned a thing or two in the past three years relative to managing elections, and Paget is now a much better worker. He has been educated. Robertson, Bell, Lampasas, Grimes, Waller, Freestone, Navarro, total seven counties, transferred to the wet column in two years. Tarrant, McLennan and Travis Counties held in line as well as several other small precincts and several counties. No longer do we encounter difficulty in securing prominent men to take active part on our side. The liquor ————— and license question will no doubt be settled shortly. \* \* \* Yours truly, B. ADOUE."

20.

"Galveston, Texas, July 24, 1907.

"Mr. S. T. Morgan,

"Dallas, Texas.

"Dear Sir:

"The Texas Brewers' Association is not dead, not even sleeping. It has no occasion to spend money as it did during the past three years, but money it must have so as to keep up with local prohibitionists. The last assessment realized enough funds to liquidate all past debts, also present current expenses, and will probably carry us for another month. \* \* \* Yours truly, B. ADOUE."

21.

"Galveston, Texas, September 9, 1907.

"Mr. S. T. Morgan,

"Dallas, Texas.

"Dear Sir:

"Your letter of the 7th received with Mr. Webster's letter, which I return herewith. Your answer is to the point. Could not be improved. To prevent parties from calling election in dry counties is at present one of the most troublesome subjects we have. No amount of brewers' money will carry elections without active support of some of the leading men of the county. In all elections we are called to supply speakers, which cost money. We also supply literature and Mr. Paget's service and in the end often we are called upon to square up balances due. I have no report yet of last Saturday's election at Llano, but suppose it remains dry, as no prominent citizens were willing to lend their names. The election was called by very unreliable parties against strong protest. Grayson and Williamson Counties are

next to give trouble, and we must do all in our power to put off the election until next spring. Yours truly, B. ADOUE."

22.

"February 19, 1910.

"Mr. R. L. Autrey,

"Houston, Texas.

"Dear Sir:

"Your favor of the 15th to hand, and contents noted, and in reply thereto and referring to our conversation over the phone will state that I feel that we are in great danger from what now has become known as the Quart Law, and I believe all of our forces should be centered in the fight against the proposed law. In my opinion the only effective point at which the fight can be made is in the Senate."

✓ (D) Prior to 1910 one J. L. Griffin, a negro preacher, vulgarly known as "Sin-Killer" Griffin," and other negroes formed an organization under the name of "Rescue Association of the United States of America and Africa," and incorporated the same under the laws of the State, the charter granted to such organization authorizing it to engage in the work of rescuing, etc., fallen women. Such charter was secured in fraud upon the State and the public, and the purpose of such organization has never been such as named in its charter, but the purpose of such organization, and its members, has always been to do political work—principally amongst negroes—for the Texas Brewers' Association and its members, and a large portion of such work, and one of the principal elements of such purpose has always been to secure the payment of poll taxes by negroes so as to qualify them to vote in elections involving the questions of the lawful sale, etc., of intoxicating liquors in the State and the various counties and precincts thereof, and such purposes and work have been carried out in the guise and under the cover of such organization and its declared purposes. Such negro organization has, from time to time, received financial, and other, aid from the Texas Brewers' Association and its members in order to assist it in doing such political work, as is shown, in part, by the following letter written and transmitted to an office of one of the members of such association by an officer of such negro organization on or about November 26th, 1910, to-wit:

"Calvert, Texas, November 26, 1910.

"Hon. Otto Koehler,

"San Antonio, Texas.

"Kind Sir:

✓ "We have plans on foot to canvass about forty or fifty towns and through the black belt of colored people and advise them to pay their poll tax. This is something very important and should be seen after before it is too late.

"Rev. J. L. Griffin, 'the evangelist,' has held four meetings here; a great crowd of men were present and endorsed his work. He has also held meetings in Terrell, also at Corsicana, Ennis, Hutto, Elgin,



Bastrop, Wharton, Bay City, Brazoria, East Columbia, West Columbia, Velasco and Angleton.

"I will mention here a few towns that ought to be worked up thoroughly: Calvert, Navasota, Marlin, Honey Grove, Rockwall, Tyler, Chappel Hill, Giddings, Temple, Beaumont, Denison, McKinney, Terrell, Bryan, Hempstead, Waco, Texarkana, Sherman, Sulphur Springs, Sealy, Victoria, Hillsboro, Paris, Greenville, Mineola.

"Some attention ought to be paid to this particular work. Waco, Houston, Galveston, San Antonio, Dallas, Fort Worth and Austin are much informed, but the rural district ought to be seen after.

"We have a good man to handle the newspapers, all lodges and societies; we can't find a better man than Dr. Griffin to handle the people, both white and colored. 'Hear him.' There are thirty other good men that are willing to work among the people and are willing to see that their poll tax are paid. We have plans on foot. We need some assistance. Mr. Rayner of Calvert will handle the newspapers. We have twenty preachers that will urge their people to pay their poll tax.

"Mr. Griffin has just returned from Galveston. He went to call on Mr. Adoue, but he was in San Antonio. Mr. I. H. Stein gave him a donation. Mr. Stein said the secretary and Mr. Adoue would take care of him.

"He called on Mr. R. L. Autrey of Houston. He said for him to go back to Galveston and see the secretary and he would certainly help you redeem the tent.

"Mr. H. Prince loaned Dr. Griffin \$5 and told him if he would go back to Galveston he was certain that he would get help. We are in great need of money to push this important battle to the front. Mr. G. H. Luedde of Waco said he would take the matter up with the secretary at Galveston. We have a charter filed in the Department of State and our franchise tax is paid for.

"We submit the matter to you for your investigation. Rev. Dr. J. L. Griffin is supreme president of the Rescue Association of the United States and Africa and is endorsed by 125,000 members of Texas.

"For reference:

"Rev. W. M. Sauls, Fifth Ward, Houston.

"Rev. Branch, pastor Baptist Church, Second Ward, Houston.

"Rev. H. R. Johnson, pastor of St. John's Baptist Church, Houston.

"T. E. Nolan has 6,000 members in the W. O. W. He has a newspaper printed at Calvert, owns a press of \$4,000 as supreme commander of the W. O. W. Respectfully yours,

C. C. GARRETT,  
"National Secretary."

(E) Said Texas Brewers' Association—and the defendant, and the other members thereof, through such association—have from time to time used the aforesaid funds of said association, and of the defendant and of the other members for the accomplishment of the aforesaid purposes with reference to poll tax paying—in addition to the manner and acts mentioned above—in the ways and manners, and in the doing of the acts and things, correctly stated in the following

correspondence passing between said association and the members and officers thereof, to-wit:

(1) During the year 1913 there was inaugurated in Texas by persons and corporations interested in the sale of intoxicating liquors an organization, or bureau, for the purpose of securing the payment of poll taxes to qualify the holders of such tax receipts to vote in such elections as were to be held in the State during the year of 1914. This organization, etc., was called the "Citizens' Forward Movement," and one G. H. Luedde, representative of the Aug. A. Busch & Company, wholesale dealers in beer, and one I. Friedlander, an employe of said Aug. A. Busch & Company, or of said Luedde, and of the promoters of said movement, were placed in active charge of the work of said movement, and such work was carried on during the latter part of the year of 1913 and during the year of 1914 up to February 1st thereof.

The defendant became a party to, and a supporter, out of its corporate funds, of said Citizens' Forward Movement and its work. Your petitioner cannot specifically allege the extent of such support, nor can he allege the details of such work, but as illustrative thereof he alleges that the following correspondence passed between the officers and representatives of such movement and the defendant, and its officers, and between other parties to such movement and between the defendant, through its officers and other persons—such correspondence now being in the files of the defendant—and such correspondence, so far as it goes, correctly states the nature of such work and defendant's participation therein, to-wit:

(a) "Waco, Texas, December 8, 1913.  
"Mr. Weeden,  
"Secretary and Treasurer Texas Brewing Company,  
"Fort Worth, Texas.  
"Dear Sir:  
"This will introduce to you Mr. I. Friedlander, who is visiting your city in the common interest (meaning the work of said movement and the securing of the payment of poll taxes). He will explain the situation to you. Assist him in getting the matter that he wants, because it is of importance to all of us.  
"Trusting Mr. Friedlander to your care and kind consideration and with kindest regards, I beg to remain, Yours very truly,  
"G. H. LUEDDE."

(b) "Fort Worth, Texas, December 8, 1913.  
"G. H. Luedde, Esq.,  
"Waco, Texas.  
"Dear Sir:

"RELATING TO MR. FRIEDLANDER.

"Yours of the 8th introducing Mr. Friedlander:

"Will say that I greeted the gentleman with much of information which I had and thought would be interesting to him (meaning that he gave him names and addresses of persons in Texas interested in

the work of said movement, and names and addresses of those engaged in the sale of intoxicating liquors); also introduced him to some people expedient for him to know. He seemed to be quite well posted, bright and enthusiastic for success. Here's hoping he will accomplish results.  
Yours truly,  
J. E. WEEDEN."

(Letter-head A. A. Busch & Company.)

(c)

"Waco, Texas, December 17, 1913.

"Mr. J. E. Weeden,  
"Fort Worth, Texas.

"Dear Sir:

"Your letter of the 9th, with reference to Mr. Friedlander at hand, and he very much appreciated the courtesies you extended him, and I believe that you will find Mr. Friedlander will make a winner along the lines that he is working.

"He has a special knack for this kind of work. He is the young man that put the Young Men's Business League of Waco on the map; he is the man who has been the originator of the different stunts that they have pulled off in Waco, and he is an enthusiast along the line of work.

"He told me that you promised to get him the list of Mr. Brann's, or that you would arrange to get a copy of it, or to have two sets of envelopes addressed by the stenographers there. Send them to us at Waco at your very earliest convenience. We are anxious for these envelopes or this list. If they will not give us the list, have them do as Mr. Craddock of Dallas; that is, have the stenographer address the envelopes, and send them to us here. You can pay the amount, and send us statement, and we will remit you. Kindly give this your early attention, as we have no time to lose. With kindest regards, I beg to remain, Yours very truly,  
G. H. LUEDDE.

"GHL-b."

(d)

"December 20, 1913.

"Mr. G. H. Luedde,  
"Waco, Texas.

"Dear Sir:

#### "RELATING TO LISTS.

"I at last succeeded in getting to your Mr. Brann, and had a long, pleasant talk with him, but very unsatisfactory as to lists. He says that his list was shipped to Kansas City, and after the passage of the Allison bill, the Kansas City office is getting itself ready for discontinuance, so that the fixtures, furniture and other stuff—including this boxed-up list—have been stored away in a private warehouse under such conditions as he insists, would prevent our getting hold of it in time for use for our purposes.

"He explained to me, however, that O. F. Haley—another wholesale liquor house—had a list nearly as extensive as his, and probably in easier shape for us to use. Of course, I called at once upon Mr. Haley, but he was out.

"I also had an interview with Mr. Sam Joseph, the easiest party



here to rouse upon the question of saloon men organization, explaining to him that your field man would communicate with me—which he has not done so far this morning (8 o'clock). I have it arranged, however, as soon as I can hear from him, for a meeting with him, Mr. Sam Joseph and a local man here who is first-class as an organizer of such bodies.

"Of course, I will try to see Mr. Haley again this morning, or as soon as possible, but if everything turns up that it looks as if I will have to attend to today, it is more than probably that I won't get to him. Yours truly,

"Dict."

(e)

"December 19, 1913.

"Mr. G. H. Luedde,

"Care Aug. A. Busch & Co.,

"Waco, Texas.

"Dear Sir:

#### "RELATING TO LISTS.

"I have your favor of the 17th, and have not forgotten that I promised Mr. Friedlander I would try to get the Brann list. I have been there once or twice, but the right party was not there. Will go after it right away again. Yours very truly. J. E. WEEDEN.

"Dict."

#### "CITIZENS' FORWARD MOVEMENT OF TEXAS

"P. O. Box 926.

I. Friedlander, Secretary.

(f)

"Waco, Texas, December 12, 1913.

"Texas Brewing Company,

"Fort Worth, Texas.

"Dear Sir:

"As you are probably aware, the Citizens' Forward Movement is one that is friendly to your cause in Texas, and we are working night and day for your interests.

"We desire that you furnish us immediately with the names of all social clubs—in wet or dry territory, that you have been supplying beer for the past two years—whether in operation now or out of business (and please so note on the list); giving also, if your records show, the names of the secretary or steward of the club with the address.

"We also desire that you furnish us with names of your wholesale dealers in Texas whom would likely distribute your products to such clubs.

"This information will assist us in this movement materially and we desire the information by return mail, as the time between now and January 31st is short—the end of the poll tax paying period. Yours very truly,

I. FRIEDLANDER, Secretary."

(g)

"December 10, 1913.

"Mr. I. Friedlander,

"Care 212 Cameron Bldg.,

"Waco, Texas.

"Dear Sir:

"ADVISE OF SHIPMENT OF MAILING LIST.

"Referring to your conversation with Mr. Weeden recently. We are forwarding you today, via Wells-Fargo Express, securely boxed in a tight wood case, an indexed mailing list of 6,000 to 7,000 names, contained in seven card index cabinet drawers, respectively, marked as follows:

"SPECIAL ATTENTION.

"COUNTRY LIST.

"COUNTRY LIST.

"COUNTRY CUSTOMERS—Abernathy to Frost.

"COUNTRY CUSTOMERS—Gainesville to Rotan.

"COUNTRY CUSTOMERS—Sadler to Zephyr.

"FRIENDS OUT OF TOWN.

"You will find the lid of the container screwed down; kindly remove the screws, thus opening case without injury, and when you are through with the cards, return to us in the same box securely packed to avoid damage or mixing in transit. Please acknowledge receipt. Yours truly,

TEXAS BREWING COMPANY.

"B."

(Letter-Head Citizens' Forward Movement.)

"Waco, Texas, December 13, 1913.

"The Texas Brewing Company,

"Fort Worth, Texas.

"ATTENTION OF MR. WEEDEN.

"Gentlemen:

"In reply to your letter of the 10th instant beg to acknowledge receipt of the box containing the mailing list and thank you for the same.

"We are now engaged in addressing these cards, and as soon as this is done, will return to you in the same condition in which they were sent to us. Again thanking you, and trusting that you will not overlook the matter of the **Brann** list, I remain, Very truly yours,  
IF-BT. I. FRIEDLANDER.

"P. S.—While in Dallas I secured the Craddock list, containing 8,500 names, which, with the Brann list, will come very near covering North Texas."

(h)

"December 10, 1913.

"Gentlemen:

"I am writing you about a very important matter. I want you to regard same as confidential and personal and as an urgent message for you to act upon immediately.

"As you know, the liquor business in Texas is being assailed on all sides and is threatened to destruction every time there is an election in the State. The last State-wide election in Texas was won by the antis by a very small margin, due, we think, to the fact that antis

were not aware of the danger and did not vote, or were unprepared with poll taxes and couldn't vote.

"If we expect to be in business in Texas longer than next year, we must see that all our anti friends pay their poll taxes, and to that end we are starting a poll tax campaign among the antis of Texas.

"We want you to assist by sending at once—and we mean by return mail—to the writer a list of all parties with their addresses to whom you have made shipments of beer or whiskey by freight or express in the past year or eighteen months. Now don't say this is too much work; we know it is work, and if you have a list that requires the services of a stenographer in getting up, employ one and let me have a statement of the expenses. This is important work. We ought to be able to reach with list and the list of the retail liquor dealers, 100,000 voters in Texas, and as Texas only went wet by less than ten thousand votes, you can see how important a work this is. If you haven't but half a dozen names, let us have them. If you have ten thousand, let us have your list. We will return your list as soon as our envelopes are addressed.

"We have a little over a month to do all this work, and when you consider the immensity of it, it is unnecessary to urge upon you that you give it your immediate attention. Nothing that you can do will assist more materially or effectively in your remaining in business than this work which we request. Yours very truly,

"G. H. LUEDDE."

(i)

"December 13, 1913.

"Mr. G. H. Luedde,

"Waco, Texas.

"Dear Mr. Luedde:

#### "RELATING TO MAILING LISTS.

"We have yours with reference to the lists of customers, and replying will say that Mr. Friedlander called on us, explaining his mission, and we explained to him in some detail the lists we had, the various kinds, how obtained, and which would be the most useful to him, etc.

"After indicating the particular ones he desired, several drawers containing the cards (we followed the card system in obtaining and using our lists) were securely boxed up in a substantial package, and forwarded to him by express.

"Now, the reason we are explaining all this to you is that it occurred to us, on account of the interrupted train services, this box may not have reached its destination.

"It is of value; that is to say, the names in it were obtained at very considerable labor—to say nothing of expense. It ought to be so felt by him, and we, of course, when he is through with it, want it returned, in the event that something or other might make it again available for us.

"Please call up Mr. Friedlander at his office, and if the box has not yet been received, instruct them to make an effort to locate same;



also advising us, so that we may, as well, work at this end. Yours  
very truly,  
"Dict."

TEXAS BREWING COMPANY.

"THE CITIZENS' FORWARD MOVEMENT OF TEXAS

"I. Friedlander, Secretary.

(j)

"Waco, Texas, December 30, 1913.

"Dear Sir:

"At a meeting last Sunday it was agreed that the enclosed letter be gotten out by all the brewers and brewery managers in Texas on their letter-heads to each of their wholesale dealers in Texas.

"It is very important that this letter be gotten out immediately and we hope that you will give it your prompt attention. Yours very truly,  
I. FRIEDLANDER."

Attached to the foregoing was the following:

"Dear Sir:

"We want to call your attention to the fact that 'poll tax paying time' is now here, and that 1914 is 'election year,' and it is highly important if you expect to remain in business after 1914 that all of the antis in your territory pay their poll taxes during the month of January.

"The matter of poll taxes must receive your undivided time and attention. You will do more good by trying to get an anti to pay his poll tax than you will by trying to sell a keg of beer. Have poll tax cards printed calling the voters' attention to it and place in every saloon, in the show windows and on the streets.

"You will receive letters from time to time from the Citizens' Forward Movement at Waco, I. Friedlander, secretary, asking you to do certain things and we request that whenever these letters are received that you act promptly on them and comply as far as possible with his requests. See your customers in the city and in the country and have them make poll tax paying their whole business during January. Yours very truly."

(Letter-Head Dallas Brewery.)

(k)

"Dallas, January 9th, 1914.

"Mr. J. E. Weeden,

"Fort Worth, Texas.

"Friend Jack:

"Replying to next attached, will state that I had a talk with the Waco party over the phone, and informed him that you wanted to handle your own county and Palo Pinto County, and I suggested that he comply with your request, and confer with you either by letter or by phone.

"I have the work going in this county among our own people, and would like for you to look over the system, as no doubt you can get some ideas from same, and also that you can suggest some improvements that will be of assistance to us. Your friend,

"Dict. S. T. M.—H. M. encl.

S. T. MORGAN."

By the terms "Waco party," "handle" and "work," as used in the foregoing letter, was meant said "Movement," or its officers, handle matter of securing payment of poll taxes, and securing payment of poll taxes, respectively.

(Letter-Head Texas Brewing Co.)

(1)

"Fort Worth, January 8, 1914.

"Mr. S. T. Morgan,  
"Dallas Brewery,  
"Dallas, Texas.

"Dear Sam:

"RELATING TO CIRCULARIZATION WHOLESALERS.

"In conversation I mentioned the fact that the Waco people wanted us to circularize our outside people (which only consists of Palo Pinto County).

"I think I told you that I did not approve of it, and that our Mr. Felix was making a trip out there. Just for your information, I hand you report he has made to me on the matter. Yours truly,

"Dict.—Encls.

WEEDEN."

"Mineral Wells, Texas, January 7, 1914.

"Mr. J. E. Weeden,

"Dear Sir:

"Most of the trade that I showed the enclosed letter of the Citizens Forward Movement to were not in favor of sending out these circulars. They have an idea that the pro element would make capital out of it, and give them something to talk about; these circulars may be all right for Waco, and Southern Texas, but would be a detriment in Palo Pinto County. The saloon men here will get together and handle the situation, 'Poll tax paying,' same as heretofore. I met up with Mr. ——— and ——— of Thurber, and made it a point to call on the different saloon men, urging them to call attention to all antis to pay up their poll tax before February 1st. Yours truly,

"JOS. G. FELIX."

"CITIZENS' FORWARD MOVEMENT OF TEXAS

"I. Friedlander, Secretary.

(m)

"Waco, Texas, January 5, 1914.

"Dear Sir:

"You probably received a letter about two weeks ago calling your attention to the fact that the month of January is the last month of grace for the payment of poll taxes, and asking you to furnish a list of names that could be corresponded with relative to this very important matter.

"Some of you very promptly responded while some have so far yet failed to send in their lists of names. If you are one of the latter we want to urge upon you a compliance immediately with this request. Nothing that you could do is so important as is this.

"We want to urge upon you the utmost importance and necessity

of your devoting all of your time this month in an effort to see that every anti-prohibitionist in your section qualified himself as a citizen before January 31st. It is unnecessary for us to go into the importance of this matter with you, the elections of the past having been close enough to impress this upon the mind of the most optimistic.

"Let us hear from you if you have any suggestions to make regarding the work in your territory. Yours very truly,

"CITIZENS' FORWARD MOVEMENT,

"I. Friedlander, Secretary."

"CITIZENS' FORWARD MOVEMENT OF TEXAS

"I. Friedlander, Secretary.

"Waco, Texas, January 15, 1914.

(n)

"Dear Sir:

"Nineteen fourteen is election year in Texas. All State officials, including Governor, are to be elected. Their election (and subsequent re-election for another term under Democratic custom) means that the policies they inaugurate will have full sway for four years. You can not participate in any election during the year 1914 unless you pay a poll tax between now and the last day of this month.

"Are you interested? For years past every question of importance has been suppressed and the people's time and money and energy have been expended in the attempted solution of one single question. The question of proper support for our educational institutions, penitentiaries, insane and blind asylums and such important matters as rural schools, rural credits and cotton marketing system and other important vital questions have been disregarded because more 'capital' could be made of other legislation. The legislation on this question has not alone affected the licensed place of sale, but there has been attempts to prohibit family use of liquor and attempts to destroy the privileges of private clubs have been made.

"The present laws regulating private clubs are stringent enough to protect the public and are satisfactory to the membership of the legitimate clubs. The clubs have so far defeated the movement to go further in this matter, but their work is not finished. We are enclosing herewith the history of one of the club laws showing that but for the ruling of the Speaker of the House your club would have been face to face with a situation difficult to overcome.

"Will you be prepared with a poll tax to defend and preserve the institutions of which you are a member? Will you talk to your friends and have them arm themselves with the necessary requisite for voting? Suffrage is a sacred privilege. Citizenship carries with it great responsibilities. If you would want Texas to go forward, Texas institutions prosper, less strife and bitterness and more peace and general prosperity, be prepared with a poll tax to do your duty. Very truly yours,

CITIZENS' FORWARD MOVEMENT,

"I. Friedlander, Secretary."



"CITIZENS' FORWARD MOVEMENT OF TEXAS

"I. Friedlander, Secretary.

(o)

"Waco, Texas, January 12, 1914.

"Dear Sir:

"You are accounted one of the liberal element in Texas politics. One of these men who believe that there are other questions to solve for Texas than merely the liquor question. One of these men who believe that State educational institutions, that farming interests, that good roads, that railroad matters, that our penitentiaries and asylums, all ought to have the attention of our Legislature and that this perplexing and vexing liquor problem ought to be put behind us for a few years until constructive work can be done.

"Such being the case, it becomes our duty to inform you that 1914 is election year. That all State officials from Governor down are to be elected. That members of the Legislature who frame our laws are to be elected. That 'submission' is likely to be again voted on, and if it carries we will have to go through another nerve-racking commercial depressing State-wide prohibition campaign. There is one duty that you owe yourself and your State, and that is to see that you pay your poll tax and see that your clerks and your friends and neighbors and customers do the same so that you will be prepared and they will be prepared to cast a vote for men and measures that will be constructive rather than destructive. Have you paid your poll tax yet? Will you pay it today? Will you talk to your customers and clerks and neighbors about this important matter? Every man counts. Do your duty, and if every man will do that there will be no cause for regrets after the poll tax books close on January 31st. Yours very truly,

CITIZENS' FORWARD MOVEMENT,

"I. Friedlander, Secretary.

"Get together with your friends and form a committee to go to work. We will appreciate any suggestions from you in regard to this work."

SUBDIVISION NO. 9.

(a) Heretofore, prior to the incorporation of defendant, Adolphus Busch and other persons, firms and corporations interested in the manufacture and sale of intoxicating liquors in the United States, associated themselves together and formed the United States Brewers Association, the purpose of said association continuously since its creation being such as is hereinafter set forth. Practically all the important brewing corporations and brewing firms and individuals carrying on each character of business from time to time have become and remain members thereof.

(b) About the respective dates of their respective incorporations, as shown hereinabove the following named Texas corporations, acting together or severally, became members of such association and have remained members thereof up to this time, to-wit:

Texas Brewing Company,

Dallas Brewery,

San Antonio Brewing Association,

Lone Star Brewing Company,  
Houston Ice and Brewing Company,  
American Brewing Association,  
Galveston Brewing Company.

By becoming, and remaining as, members of said association, each and all of the members thereof—including the defendant and the other Texas corporations named—became parties to, and participants in, the purpose and work of such association and all acts and things done by each association, and all purposes intended to be and attempted to be accomplished by such association and its members and officers, committees and employes, through it, were well known to all of such members—including defendant—and were caused, consented to, acquiesced in and ratified by each and all of such members and became and were and are the purposes and acts of each of such members, including defendant.

(c) For the accomplishment of its purposes, and for the doing of its work, including the purposes and work hereinafter mentioned, said association has continually required vast sums of money each year of its existence. To procure such funds said association, as it was authorized to do, has required of each of its members to pay into it, and such members, including defendant, have so paid into it annual dues, the minimum of which for each year has been and is a sum of money equal to one cent on each barrel of beer sold by each of its members per year—which dues, in the aggregate per year, amount to the sum of \$600,000, as the minimum thereof, the same being equal to one cent per barrel on the yearly sale of its members.

(d) In addition to the aforesaid annual dues said association, as it was authorized to do, has from time to time “assessed” all of its members for extra payments, and such members have consented to such extra “assessments,” and have paid the same. Such “extra assessments” have never fallen below an additional one cent per barrel on such sales per year, and by reason thereof the funds of such association, derived from annual “dues,” have been supplemented each year by the sum of \$600,000 as the minimum thereof.

Petitioner says that such extra “assessments” for many of the years of the existence of the association have amounted to more than one cent per barrel per year, but that, at this time, the dates and the other details thereof, cannot now be specifically alleged, except that at a meeting of such association, held in Chicago on or about the 20th day of February, 1912, an extra assessment equal to two cents per barrel on sales for each of five years from and including 1913 was made, and the members thereof ratified and have for the years 1913 and 1914 paid the same, and unless the relief herein prayed is granted the defendant will continue to pay the same for the other three years. Such extra “assessments” of two cents per barrel have for each of the years of 1913 and 1914 supplemented the funds of such association derived from annual dues of one cent per barrel by the sum of \$1,200,000, and the minimum thereof, and will be so supplemented by a like amount for each of the next three years—the total sums thus

derived from such extra assessment for the five years will have aggregated the sum of more than \$6,000,000.

The aggregate funds thus derived by such association from the one cent per barrel annual dues for the ten years preceding 1913 and used by it, amount to more than \$6,000,000; the aggregate of such funds derived from such annual dues and the one cent extra assessment for the same period amount to more than \$12,000,000; the aggregate funds so derived from such annual dues and such one cent extra assessments for the ten years preceding 1913 as supplemented by the aforesaid two cent extra assessment for the years of 1913 and 1914 amount to more than \$15,000,000, and the aggregate funds so derived as supplemented by the proceeds of such two cent extra assessment up to and including the whole of the aforesaid five-year period will have amounted to more than the sum of \$19,400,000.

(e) That the major portion of all such funds have been used, and will continue to be used by such association, and its members, including defendant, through such association, for the purpose of attempting to influence legislation, State and National, and the result of elections, State and National, and with respect to both men and measures, as is hereinafter more fully alleged.

(f) To such funds, and to such association, to be used for such purposes, the following Texas corporations, by joint and several action, and by common knowledge, consent and agreement have paid, out of their corporate funds, at least sums as follows:

Texas Brewing Company .....	\$15,000
Dallas Brewery .....	15,000
San Antonio Brewing Association.....	25,000
Lone Star Brewing Company .....	23,400
Houston Ice and Brewing Company.....	25,000
American Brewing Association .....	15,000
Galveston Brewing Company .....	10,000

(g) Said corporations have agreed to and intend to and will, unless restrained, during the years of 1915, 1916 and 1917 so pay amounts equaling three cents per year per barrel on their annual sales.

(h) The above payments are alleged as the minimum thereof; the remainder will be made to appear by evidence upon final hearing hereof.

(i) Such payments as made by the defendant and each and all of the other members of the association, as they were made, and as they will be made, have been and will be by such association mingled and combined into a common fund out of which have been paid the expenses incurred and which will be incurred and the disbursements which have been and will be made by the association and by the members thereof, including defendant, through such association and its officers, committees and employes—for the accomplishment of the purposes thereof and the carrying on of the work thereof, which purposes and work, amongst other things that will be made to appear upon final hearing hereof, included, and will continue to include, the following general purposes, to-wit:



(1) The defeat of the submission to the States by the National Congress of a proposed amendment to the Federal Constitution prohibiting the manufacture or sale, etc., of intoxicating liquors; and in the event such a proposed amendment should be so submitted, to prevent favorable action thereon by the various States of the United States.

(2) The defeat of any legislation proposed in the National Congress, or in any State, which was, or shall be, calculated and intended to further restrict or regulate the manufacture or sale of intoxicating liquors in the United States, or to levy any tax thereon, or in any way to affect, adversely, such enterprises and business.

(3) The success of any legislation proposed, or to be proposed, in the National Congress, or in any of the States, calculated or intended to affect such enterprises or business favorably.

(4) The prevention of provisions in treaties between the United States and any foreign nation, heretofore made or proposed in the future, which would or will in any way adversely affect such enterprises or business and to secure the inclusion in such treaties provisions favorable to such enterprises and business.

(5) The influencing, affecting or control of the results of elections for the selection of men to fill the various State and Federal public offices, to the end that such offices may, from time to time, be filled with men of views and sentiments favorable to such enterprises and business.

(j) The allegation of the foregoing general purposes is not intended to include all of such purposes; petitioner says that upon the trial hereof evidence as to other purposes may be offered, but that the allegations with respect thereto cannot at this time be made.

(k) As illustrative of such purposes, and of the work of such association and the purposes for which such funds have been and will be collected and disbursed, petitioner hereinbelow sets forth certain communications, which, so far as they go, correctly describe such purpose and work.

(1) The letter quoted in the next paragraph (1) was written and transmitted to defendant, through its president, Zane Cetti, by Adolphus Busch, who was one of the originators of said association, an officer and a member thereof, and who was familiar with such purposes and work, and the statements therein made were accepted as correct and acted upon by the defendant. The communication quoted in the next paragraph (2) was written and transmitted to defendant and other members of said association by Hugh F. Fox, secretary of said association, who acted as an officer of such association, as he was authorized to do in the writing and transmission thereof. Said communications are now in the files of the defendant. Such communications read as follows, to-wit:

(1)

"ADOLPHUS BUSCH

"St. Louis, Mo.

"Paris, October 19th, 1905.

"My Dear Cetti:

"Mr. Clauss wrote me that you have refused to pay your assessment towards the Educational Bureau, which has, so to speak, been created by me and some of my friends for the benefit of the brewing business of the United States.

"Most of our people have no idea of the true merits of beer, they know nothing of its wholesomeness and its superior nutritious properties, and rather believe all the false things said about this article. No voice has ever been raised to correct this wrong impression people have got about beer. It is my aim to win the American people over to our side, to make them all lovers of beer and teach them to have respect for the brewing industry and the brewer. This work has got to be done systematically, and the best writers of our country will have to lend their assistance. It may cost us a million of dollars, and even more, but what of it if thereby we elevate our position? I stand ready to sacrifice my annual profits for years to come if I can gain my point and make people look upon beer in the right light.

"We must pay over to the United States Brewers' Association whatever it may require to represent us properly before Congress, where we have most important bills to defend. We must defeat that Hepburn-Dolliver bill, which is most dangerous and antagonistic to our industry and which makes prohibition possible. Then we want to defeat any bill which may be brought up to increase the revenue tax on beer, with which we are now threatened; we want to re-establish the military canteen at all army posts and on our men of war; and in all reciprocity treaties, we want our Government to see that American beer enters foreign countries with a moderate and reasonable duty, and not one which is prohibitive as is the case in most of the republics in South America and in Australia and as will be the case in all countries where breweries will be established unless we take an active interest in the matter and prevent this. We want further to see that no prohibition is enforced in the District of Columbia or embodied in the Constitution of Oklahoma when the latter is admitted to Statehood.

"All this will cost lots of money; we do not want to spend one cent bribing the good people, but we will have to be liberal with the press of many States and with friends to gain the ear of Senators or members of Congress and enlist their good will. Up to now everything has been neglected; no brewery in the United States has done its duty towards its business, and for this reason we have met with defeat in nearly every instance. The lawmakers of our country feel this, and, therefore, I say reforms are imperative; we must act; we must all put our shoulder to the wheel; we must do our duty towards ourselves and our business, and I demand of you that you enter the rank and file and help us to win our cause. If small and stupid fellows who happen to be in the same line of business with us stay out,

it cuts no figure; but every sensible brewer must join the movement and assist us in our efforts to put the brewing business in the United States in the first rank.

"It is of importance that you remit at once to Mr. Clauss and thus prevent our colleagues from expressing surprise that one of the breweries in which Adolphus Busch is interested has refused to pay its assessment. Everything that is done by the bureau will benefit Texas in some way, if not directly then indirectly. With kind regards, I am,  
Very truly yours, (Signed) ADOLPHUS BUSCH.

"To Mr. Zane Cetti, Fort Worth, Tex."

(2)

"July 6th, 1908.

"Lone Star Brewing Co.,

"San Antonio, Texas.

"Gentlemen:

"I have your letter in regard to the matter of assessment, and have received similar letters from the San Antonio Brewing Association, American Brewing Association, Texas Brewing Company and the Galveston Brewing Company. I am directed to say that we fully appreciate the excellent work which has been done by the Texas brewers in fighting their own battles in the past, and have no doubt that the action which you have taken has been of material interest to the cause in other States. It has been reported to us that the Texas brewers have assessed themselves from 10 to 20 cents per barrel for their own fight. Compared to this, the 1 cent per barrel, which comprises the assessment of the association, is very small, and yet I think that it has resulted in considerable benefit to you. The defeat of the seventy-nine (79) bills of Congress during the past session is, in a great measure, due to our efforts; and the recent victories in Georgia, Tennessee and Florida should be credited in part, at least, to the work of this association. This work must be continued on a larger scale than ever, and we ourselves are facing this crisis with an absolutely empty treasury. The larger part of our dues for the current year have already been expended; and demands for organization, education, literature, etc., etc., are incessant. Our by-laws provide that the trustees shall not appropriate any money for local or State interests without being authorized to do so by a two-thirds vote of the members present and voting at a convention. It is a matter of regret that none of your members were present at the Milwaukee convention, when you might have presented your request, and at the same time would have informed yourselves as to the value of the work which this association is doing and the need of its further development. The by-laws provide that whenever any local association has rendered direct and valuable service in the interest of the association, the association, at its regular convention, may, upon application, indemnify such local association for expenses incurred to a certain extent. I find in going over our books that the seven Texas brewers have a very good record. None of them are in arrears for dues or assessments for 1905, 1906 or 1907, but there are four who have not yet paid their dues for 1908. Under these circumstances, and in view of your own heroic efforts on your



own behalf, you have certainly earned the right to special consideration, and the president directs me to say that the matter will be considered at the next meeting of our board of trustees, which, however, will not be held until next October. In the meantime, I venture to submit that the proper and prudent course for you to pursue is to pay the present assessment now without a question, instead of attempting to make conditions before payment. Yours very respectfully,  
HUGH F. FOX, Secretary."

(2) Pursuant to such general purposes, and as indicated in the letter last quoted above, said association—and its members, including defendant—through such association, used large sums of money out of the aforesaid funds in campaigns preceding and connected with the holding of State-wide elections wherein were involved the questions of the prohibition of the manufacture or sale, or relation thereof, of intoxicating liquors in the States of Alabama, Florida, Georgia and Tennessee; also in the State of Maine, during the year of 1911, as evidenced, in part, by the following letter written on or about September 27th, 1911, and transmitted to one Martin M. Mulhall, Washington, D. C., by one John A. McDermott, who was then, and who was acting as a fully authorized officer of said association, to-wit:

#### "UNITED STATES BREWERS' ASSOCIATION

"109 and 111 East Fifteenth Street. Telephone 1957 Stuyvesant.

"President and Chairman Board of Trustees, Carl F. Hester.

"Vice Presidents: First, Jacob Ruppert Jr.; Second, William Hamm; third, Edward A. Schmidt.

"Treasurer, Anton C. G. Hupfel.

"Secretary, Hugh F. Fox.

"General Counsel, Robert Crain.

"Manager Organization Bureau, John A. McDermott.

"Chairman Vigilance Committee, Albert Lieber.

"Chairman Advisory Committee and Labor Committee, Louis B. Schram.

"Chairman Publication Committee, A. G. Hupfel Jr.

"Chairman Finance Committee, Jacob Ruppert Jr.

"Chairman Committee on Federal Relations, Julius Liebmman.

"New York, September 27, 1911.

"Col. M. M. Mulhall,

"Washington, D. C.

"My Dear Colonel:

"In the campaign just closed in the State of Maine in which our people were so much interested your assistance and advice was of great help and benefit and is thoroughly appreciated by us. While the result is not conclusive and means more it was on account of the conditions that confronted us. If at any time I can be of service to you then you may cheerfully call on me and I will do what I can for you as you have for us. With kind regards, I am, Very truly yours,  
(Signed) "JOHN A. McDERMOTT."

(3) Pursuant to said purpose said association, and the various members thereof, including defendant, through said association, have from time to time used such funds in such elections and campaigns in the State of Texas. In this connection, petitioner shows unto the Court the following, to-wit:

(1) At the general Democratic primary election held in Texas during the year 1908 the Democratic voters nominated the candidates of that party for the various public offices, and, also, the lawful authorities lawfully submitted to a vote of the Democratic voters of the State the question of whether or not the Democratic party would demand, in its platform, the submission, by the Legislature, to a vote of the people of the State for adoption a proposed amendment to the Constitution of the State prohibiting the sale, etc., of intoxicating liquors. The aforesaid Texas members of said association, through the aforesaid Texas Brewers' Association and otherwise, carried on a campaign against the submission of such question to the members of the Democratic party and also a campaign against the adoption of such a platform demand by said party at said election. During the same year there were called and held numerous local option elections, as has been shown above, in the campaigns of which such parties participated, as has been shown above. In view of these matters, the aforesaid Texas members of the United States Brewers' Association, by joint action amongst themselves, as well as through the Texas Brewers' Association, called upon the United States Brewers' Association to use or furnish to them for use in such campaigns in Texas a portion of the aforesaid funds, as is indicated in the last letter quoted above. In response to this demand the United States Brewers' Association between July 14th and July 20th, 1908, sent to the Texas Brewers' Association, or B. Adoue, chairman thereof, for such use at least the sum of \$10,000 as is evidenced by the following correspondence passing between said Texas Brewers' Association, through its chairman, and the defendant, through its officers, and now in the files of the defendant, to-wit:

"Galveston, July 14, 1908.

"Mr. J. E. Weeden,

"Fort Worth, Texas.

"Dear Sir:

"Mr. Hugh F. Fox telegraphs the U. S. B. A. will contribute \$10,000 (?) to our campaign fund and asks remittance for the 1 cent per barrel assessment. I advise that you mail check immediately.  
Yours truly, B. ADOUE."

"Galveston, July 20, 1908.

"J. E. W.

"Fort Worth.

"Your letter 18th received with \$1,000 check. Comes in good time, as my finances have long ago reached the 'red color.' Fortunately the 1 per cent assessment has produced about \$1,000 and the U. S. B. A. has sent me \$1,000. Without that assistance, where would

the treasury be? All reports indicate defeat of submission next Saturday. Yours truly,  
B. ADOUE."

(2) During the year of 1910 the same question mentioned in the last preceding paragraph was in like manner submitted to the Democratic voters of Texas and like campaigns were carried on by said parties. Likewise there were local option elections held in various portions of the State, and likewise the voters of the Democratic party nominated its candidates for various public offices, and said association participated in such elections, and the campaigns preceding them, as is shown in part by the following correspondence:

"Telegram.

"June 18, 1910.

"Mr. Hugh Fox,

"109-111 East 15th St., New York.

"Will you please communicate with Mr. Gardner and McDermott request them to meet Mr. Otto Koehler, member Texas Brewers' Association, Auditorium Annex, Chicago, Tuesday next. Important. Answer today care Menger Hotel, today and tomorrow Houston."

"September 10, 1910.

"Mr. B. Adoue,

"Galveston.

"Dear Sir:

"I am just in receipt of your favor of the 8th inst. and note carefully contents. Have just wired you and now beg to confirm as follows:

"'Glad at last get away from Austin, and Texas should rejoice. Kindly ask meeting be postponed to any day after Sunday, 18, when I return from Fredericksburg, where I go get relief from mild attack hay fever and on personal and important business. Particulars by mail.'

"Your views are absolutely correct and meeting should be held by all means. Touching suggestion relative the advisability of inviting others and those you mention beg to state that it might be well to invite Mr. Schober of this city, but do not do so now. If we decide later to do so it can be done before date set for the meeting and I would like to confer with others before extending him an invitation.

"In regard to our money affairs beg to state that I had letter not long ago from Mr. McDermott in which he stated that it would be forthcoming shortly and after waiting impatiently to hear from him wired Mr. Gardner and now beg to hand you copy of his reply, the same being self-explanatory. Do not think will be any question about their sending us the money ultimately. So that, considering an arrangement which I have made with the bank here and the amount which you have advanced, think can await its coming and avoid the necessity of making another loan, which I, for one, would not like to pay. I have got various suggestions to make with reference to the unclean saloon business, especially as far as additional legislation is



concerned, and will submit same at our next meeting. As a good many, including myself, object to leaving on Saturday, Sunday and even on Monday, suggest set date for middle of the week, say Wednesday, the 21st inst. If you should have anything important to communicate to me suggest be wired.

"I had letter from Mr. Gardner the other day in which he confirmed a telegram to effect that we might expect something very soon. Mr. Koehler will land in New York from Europe today and I might ask him if he cares for another conference with those gentlemen with a view of getting some definite knowledge about these figures.

"Received a letter from Mr. Koehler this morning in which he states that he saw Mr. McDermott, vice president, and the latter informed him that all financial obligations to the Texas people would be paid before the expiration of this year.

"Recurring to correspondence which we have had with reference to our financial affairs, beg to state that the firm of Adoue and Lobit carry the sum of \$10,000, the amount which we expect to receive from Messrs. Gardner and McDermott, and I suggest now that we borrow additional \$15,000 either from your firm or the Frost National Bank of this city, and in this way get rid of all the obligations, thus affording relief for all concerned, for I am sure from the statements which I have received as well as the information imparted by Mr. Koehler that the money will be forthcoming before the first of the year."

(2a) During the year of 1911 the Legislature of Texas submitted to a vote of the people of Texas, for adoption or rejection, a proposed amendment to the Constitution of the State prohibiting the sale, etc., of intoxicating liquors, such vote to be taken at an election to be held, and which was held throughout the State on July 22nd, 1911.

(3) The submission of such amendment having been made a platform demand by the Democratic party at the Democratic primary election held on July 25th, 1910, and at the Democratic State convention following such election, August, 1910, and it being known that practically all of the members of the Legislature that would meet in January, 1911, were elected as Democrats and that, therefore, such amendment would, in all probability, be so submitted, the defendant and the other Texas members of the United States Brewers' Association, and the members of the Texas Brewers' Association—through the Texas Brewers' Association, and otherwise—began and during the latter part of the year of 1910 carried on an active and expensive campaign looking to the defeat of such amendment, when it should have been submitted and voted on. And after the submission thereof, as aforesaid, they carried on an active and expensive campaign to defeat its adoption at said election, and also with respect to various local option elections in the State—as has been above shown—and jointly and severally, through the Texas Brewers' Association, and otherwise, called upon the United States Brewers' Association for financial and other aid in such campaigns and for such purposes.

(4) In connection with the matters set forth in the next two

preceding paragraphs hereof, petitioner shows unto the Court that the United States Brewers' Association, and its various members through it, responded to such calls for assistance and agreed to furnish at least the sum of \$5,000 per month to assist in paying the expenses of such campaigns as incurred by such parties during the latter part of 1910 and the year of 1911 up to August, and that at least the sum of \$10,000 was paid for such expenses for the latter part of the year of 1910, and that he has good reason to believe and does believe, and therefore, alleges the fact to be that such promises were redeemed as to the year of 1911 and that said association so disbursed at least the sum of \$5,000 for such purposes for each month in 1911 up to August. Petitioner says that such belief and allegation is based, in part, upon the statements as contained in correspondence passing between officers and employes and members of said Texas Brewers' Association and between such officers and employes of the Texas Brewers' Association and officers of the United States Brewers' Association on or about the dates therein mentioned, which correspondence is now in the files of the Texas Brewers' Association and members thereof, and which statements read as follows, to-wit:

"Telegram.

"June 16, 1910.

"Mr. Hugh Fox,

"109-111 East 15th St., New York.

"Will you please communicate with Mr. Gardner and McDermott, request them to meet Mr. Otto Koehler, member Texas Brewers' Association, Auditorium Annex, Chicago, Tuesday next? Important. Answer today care Menger Hotel today, and tomorrow Houston."

"September 10, 1910.

"Mr. B. Adoue,

"Galveston.

"Dear Sir:

"\* \* \* In regard to our money affairs beg to state that I had a letter not long ago from Mr. McDermott in which he stated that it would be forthcoming shortly and after waiting impatiently to hear from him wired Mr. Gardner and now beg to hand you copy of his reply, the same being self-explanatory. Do not think will be any question about their sending us the money ultimately. So that, considering an arrangement which I have made with the bank here and the amount which you have advanced, think can await its coming and avoid the necessity of making another loan, which I, for one, would not like to pay."

"November 7, 1910.

"Mr. B. Adoue,

"Galveston, Texas.

"Dear Sir:

"\* \* \* I had letter from Mr. Gardner the other day in which he confirmed a telegram to effect that we might expect something

very soon. Mr. Koehler will land in New York from Europe today and I might ask him if he cares for another conference with those gentlemen with a view of getting some definite knowledge about these figures.

"Received a letter from Mr. Koehler this morning in which he states that he saw Mr. McDermott, vice president, and the latter informed him that all financial obligations to the Texas people would be paid before the expiration of this year.

"Recurring to correspondence which we have had with reference to our financial affairs, beg to state that the firm of Adoue & Lobit carry the sum of \$10,000, the amount which we expect to receive from Messrs. Gardner & McDermott, and I suggest now that we borrow additional \$15,000 either from your firm or the Frost National Bank of this city, and in this way get rid of all the obligations, thus affording relief for all concerned, for I am sure from the statements which I have received as well as the information imparted by Mr. Koehler that the money will be forthcoming before the first of the year.

"I have not changed my mind and still hold the opinion had before that home breweries should not be taxed more than outside breweries.  
O. W."

(5) As illustrative of the purpose and work of the association to oppose organized and other labor and to secure contracts for labor at low wages and other conditions favorable to its member-employers of labor—as alleged above—petitioner shows unto the Court that the following communication was by said association, through its officers, sent to its members, and the same as far as it goes correctly describes such purpose:

"UNITED STATES BREWERS' ASSOCIATION

"New York, March 19, 1913.

"**Confidential.**

"Gentlemen: The usefulness of our Labor Department depends to a large extent upon the intelligent co-operation of our members. If we can gather up the experiences of each brewing center they can be utilized so that all will get the benefit of them. We invite your constant correspondence on labor matters and urge you to give us the benefit of your information, experience and suggestions.

"In particular please tell us at the earliest possible moment what you anticipate in regard to the renewal of contracts. We want to know when your contracts expire, what you expect to offer or concede to the unions in making the new contracts and what the demands of the men are likely to be. Will you wait for them to present their demands in the form of a new proposed contract or will you take the initiative in putting a new contract up to them? Can we help you in this matter?

"We also want to know the names and addresses of the agents or distributors of outside brewers doing business in your territory with any particulars that you can furnish as to the men they employ and the unions they are members of. It is important that such agents



and distributors should be instructed to make no labor contracts of any kind except through the local brewers. If the local agent of an outside brewer takes the initiative by making an independent contract he can easily jeopardize the whole negotiations between the local brewers and the unions and thus enable the latter to execute a flank movement. The experience of the past year shows that this is a matter of very great importance.

"If you can furnish these particulars well in advance of the negotiations we can take the matter up with the home office of the outside brewers and secure their co-operation. Very truly yours,

"HUGH F. FOX, Secretary."

Petitioner shows that defendant, and the other members of such association, received such, and other similar communications, from time to time, and adopted and acted upon and in compliance with the recommendations therein contained. Petitioner says, in this connection, that the same character of purposes and work and activities carried on by the defendant, and other parties, apparently upon their own initiative and in connection with said Texas Brewers' Association, as alleged hereinbefore, was also carried on in connection with such work and purposes of said United States Brewers' Association.

#### SUBDIVISION NO. 10.

In order further to carry out the aforesaid and other general purposes alleged hereinabove as being embraced within the purposes of the United States Brewers' Association, and in order to create and maintain a similar agency whereby funds could be collected from those manufacturers and dealers, etc., engaged in manufacturing and selling material and supplies to persons, firms, corporations, etc., engaged in the manufacture and sale of intoxicating liquors—and especially those engaged in the manufacture and sale of beer and allied products—said United States Brewers' Association, or its members, or officers, or others, about, or prior to, the first of the year of 1911, organized and created, and have since maintained an association called the "NATIONAL ASSOCIATION OF COMMERCE AND LABOR."

(1) Said association has during such time had its headquarters at Chicago, Illinois, and has in charge of its activities certain officers and agents, amongst whom were and are one Percy Andreae and one E. T. Bush (or Buhr). The defendant, and other Texas corporations engaged in the manufacture and sale of intoxicating liquors continually during such time have been members of such association, or have been parties to its work and purposes, and such work and purposes have been carried on by said association and its officers and agents as the agents of the defendant and the other parties thereto, and the defendant has, during such time, used its funds, means and assets, and the franchises, powers and privileges conferred upon it by its charter and the law, and has usurped franchises and powers not conferred upon it by its charter or the law, for the promotion of such

work and purposes and in assisting such association and its officers to do the things in the accomplishment thereof which they have done.

(2) As among the general purposes of such association—and its members and associates, including defendant—petitioner here adopts the allegation of general purposes as made hereinabove in paragraphs (1)-(5), Subdivision 8, hereof, with respect to the purposes and work of the United States Brewers' Association.

(3) The general plan adopted and pursued by said association for the collection of funds with which to perform such work and to accomplish such purposes has been, and is, to have persons, firms, corporations, etc., engaged in the manufacture and sale of intoxicating liquors deduct a certain per centum, from time to time, when they should have purchased from any of the members of the association any material or supplies, and when they should pay therefor, to deduct from the invoice price thereof a certain per centum thereof, substitute the stamps of the association therefor, and to transmit to the association a sum of money equal to the amount so deducted from such invoices and bills. Supplemental to this plan, said association has pursued the further plan of securing agreements from manufacturers and dealers in such materials and supplies throughout the United States to the effect that those persons, firms, corporations, etc., buying such material or supplies from them might deduct a certain per centum of the invoice price thereof in the payment therefor and transmit to the association an amount of money equal to such deductions. And in order to secure members, and in order to secure such agreements from non-member manufacturers and dealers, said association has, from time to time, used every available influence, including threats of boycotts and blacklisting, and has encouraged those persons, firms, corporations, etc., engaged in the manufacture and sale of intoxicating liquors, including defendant, not to buy from, and thus to boycott, any manufacturer, or dealer, refusing to become members of the association or refusing to make such agreements.

(4) As illustrative of the plans, purposes and work of such association, petitioner shows unto the Court the following:

(a) With reference to making such collections from its members, the association heretofore on or about the 8th day of December, 1913, adopted a resolution, copied in the letter next quoted, and with respect thereto, etc., said association gave instructions to those who were to make the deductions, substantially, as is stated in the following letter:

"3357 South Michigan Ave., Chicago,  
"April 7, 1914.

"H. Prince,  
"American Brewing Association,  
"Houston, Texas.

"Dear Sir:

"We are mailing you today under separate cover a number of discount stamps of the National Association of Commerce and Labor in accordance with your requisition under the date of \_\_\_\_\_. So that there may be no misunderstanding of the circumstances under



which those stamps are supplied, I beg to call your attention to the following resolution passed by the executive board of the National Association of Commerce and Labor on December 8, 1913, to-wit:

“That the assessment of the members of said association be fixed at one per cent of the total amount of goods sold by them to the brewing trade, and that the brewers buying said goods be requested to collect such assessment in the following manner.

“The brewers (1) to deduct one per cent from each bill presented to them by members of the association voluntarily agreeing to such deductions; (2) to affix to such bills discount stamps for an amount of the discount deducted, such stamps to be supplied to the brewers by the National Association of Commerce and Labor.’

“You will please bear in mind, therefore, that the discount represented by these stamps can only be deducted from the bills of members of the National Association of Commerce and Labor who have agreed to such deduction, and that it is their voluntary contribution towards the anti-prohibition fund of that association, not an assessment which the brewer is imposing or has any right to impose upon those from whom he purchases goods. Very truly yours,

“NATIONAL ASSOCIATION OF COMMERCE AND LABOR,  
“Per B.”

(b) According to the instructions of the association, when a bill was to be paid and stamps affixed under the terms of the foregoing resolution, the brewer paying the bill was to accompany his remittance with a copy of the following letter:

“Forwarding to you our check in settlement of attached invoice less the amount of one per cent represented by discount stamps of the National Association of Commerce and Labor, we desire to explain that these stamps purchased by us from said association represent the contribution which members of the association have offered to make towards the educational campaign now being conducted by it against Nation-wide prohibition.

“We have been asked to aid in the collection of this contribution by deducting one per cent from the invoices of all members of trades and industries allied with our own, who realize that their interests and ours in this campaign are identical, have consented to the same, and it is with the understanding that you are one of those that we have deducted said discount from your invoice.

“In case this understanding is erroneous and you are neither a member through a local manufacturers and dealers’ association of the National Association of Commerce and Labor nor interested in contributing to its funds, we shall, upon receipt of advice from you to this effect, remit to you the amount of discount deducted with due apologies for our error.”



"3357 Michigan Ave., Chicago.

"May 27, 1914.

(c)

"Galveston Brewing Co.,

"Galveston, Texas.

"Attention Mr. Stein.

"Gentlemen:

"We acknowledge receipt of your esteemed favor of the 22nd; same is carefully noted.

"Respecting the Tabor Pump Company of Buffalo, N. Y., we are inclined to believe that they are laboring under wrong impression of the system for collecting this one per cent tax. We hand you herewith copy of a letter we are sending them today.

"As to the Texas Machinery & Supply Co., of Dallas, Texas, we will say that their position in this matter is noted, and we regret to say that we are likely to meet others that take the same position. There are manufacturers that do not appreciate the full extent of the brewing industry and what it would mean to all lines of manufacturing if this industry was put out of commission. \* \* \* In case of this kind the brewer can be of assistance inasmuch as you come in contact with their representatives. \* \* \*

"The use of stamps in bringing the association before the manufacturers and in cases where the manufacturers are unacquainted and of Hartford, Conn. \* \* \*

"These remarks would also apply to the Whitlock Pipe Company in case where they refuse to accept stamps, we will see them as soon as it is possible to do so. \* \* \* With best wishes, we are, Yours truly

NATIONAL ASSN. OF COMMERCE AND LABOR,

"By E. T. Burh."

Attached to the foregoing letter was the following:

"May 27, 1914.

"Tabor Pump Co.,

"Buffalo, N. Y.

"Gentlemen:

"We have before us your favor of the 16th to the Galveston Brewing Company, Galveston, Texas, regarding the deduction of one per cent for the National Association of Commerce and Labor from one of your invoices.

"We note that it is your understanding that you are to remit direct to this association instead of the brewers making the deduction and attaching stamps. We are inclined to believe this is a misunderstanding on your part. As far as we know there is no arrangement of this kind.

"At the meeting of the executive committee held here in Chicago on December 8, 1913, a sub-committee was appointed to devise ways to collect the self-imposed tax of one per cent and it was decided that stamps be furnished the brewers to be paid for by the brewers and attached to the invoices rendered, and to avoid complications we prefer to adhere to this arrangement, as you no doubt appreciate we cannot

burden the brewers with details, and if possible to adhere to the plan of taxation of one per cent and they attach the stamps, remitting to us. If there is something in connection with this system that is not entirely plain to you this office stands ready to furnish any information you may ask for.

"Thanking you for your support, we are, Yours very truly,  
"NATIONAL ASSOCIATION OF COMMERCE AND LABOR,  
"By \_\_\_\_\_."

(d)

"THE NATIONAL ASSOCIATION OF COMMERCE AND LABOR  
"3357 South Michigan Ave. Telephone Douglas 7225.  
"June 12th, 1914.

"Galveston Brewing Company,

"Galveston, Texas.

"Gentlemen:

"In view of the fact that there are over fifty thousand firms supplying the brewing trade, it is manifestly impossible to state with any degree of accuracy which of these firms belong, through subsidiary organizations, to the National Association of Commerce and Labor and have agreed to the assessment of that association. It lies, therefore, largely with the brewer who has been asked by the association to assist in collecting this assessment to ascertain this from those who supply him.

"We may state for your guidance that many brewing firms have simply deducted the one per cent from **all** invoices and accompanied their remittance with the enclosed letter of explanation. Since the result in this case has been that only in one or two isolated instances was there any objection raised to the deduction, the inference is permissible that the discount plan has been very generally accepted.  
Yours very truly

"NATIONAL ASSN. OF COMMERCE AND LABOR.  
"By E. T. Bush."

(e)

"THE NATIONAL ASSOCIATION OF COMMERCE AND LABOR  
"Chicago, June 27, 1914.

"Galveston Brewing Co.,

"Galveston, Texas.

"Gentlemen:

"We acknowledge receipt of your esteemed favor under date of the 17th with copy of a letter received from the Lobee Pump and Machinery Co., of Buffalo, N. Y., which, under the circumstances, is very satisfactory indeed, and goes to illustrate the willingness of manufacturers to support the cause.

"The Association of Brewers' Equipment and Supplies have had this matter before them and all members have had communication in regard to this discount, but have come to no conclusion as an associa-

tion, but most of the members have agreed to accept the deduction of one per cent, pending some concerted action in the future.

"Thanking you and awaiting your further advice, we are, Very truly yours,

"NATIONAL ASSN. OF COMMERCE AND LABOR,

"By E. T. Bush."

(f)

"THE NATIONAL ASSOCIATION OF COMMERCE AND LABOR,

"Chicago, July 13, 1914.

"Mr. H. V. McGee,

"Galveston Brewing Co.,

"Galveston, Texas.

"Dear Sir:

"Pending negotiations with the Corn Products and Refining Company of New York City I would suggest that you allow the matter of deducting one per cent from their invoice to remain in abeyance. I think we will be in a position shortly to advise you that we have affected a settlement with this organization. Yours truly,

"NATIONAL ASSN. OF COMMERCE AND LABOR.

"By G. M. Hartley."

(g)

PERCY ANDREAE

"3357 So. Michigan Ave., Chicago, Ill.

"October 17, 1914.

"Mr. W. J. Althaus,

"V. P. American Brewing Assn.,

"Houston, Texas.

"Dear Sir:

"I take pleasure in informing you that a satisfactory arrangement has been arrived at between the National Association of Commerce and Labor representing the allied trades and the following firms of bottle manufacturers, by which the latter have agreed to contribute on a monthly percentage basis to the anti-prohibition fund of the association.

"For reasons satisfactory to both parties it is understood that no discount stamps will be affixed to the bills of these firms.

"The contributing firms are:

"The American Bottle Company, Chicago, Ill.

"The Coshocton Glass Co., Coshocton, Ohio.

"D. O. Cunningham Glass Co., Pittsburg, Pa.

"William Frazon & Son, Milwaukee, Wis.

"Illinois Glass Co., Alton, Ill.

"Root Glass Co., Terra Haute, Ind.

"Rhodes Glass & Bottle Co., Massillon, Ohio.

"North Baltimore Bottle Glass Co., Terra Haute, Ind.

"Yours very truly,

PERCY ANDREAE."

(h) One of the methods of attempting to influence members of the National Congress and the course and result of legislation pur-



sued by such association—and its members through such association, including defendant—is, by service of its employes and members, and the use of the aforesaid funds, to prepare, or secure the preparation of positions, telegrams and letters protesting against the passage of such legislation as it and they oppose or urging the adoption of such legislation, etc., as it and they propose or endorse; to have such petitions, etc., circulated, etc., by its employes or members, and by the use of such funds, and to have the same signed by persons who are constituents of the member or members of Congress to whom such petitions are addressed or sent, and then, by the use of such funds, to have such petitions, etc., sent to such members of Congress; such petitions, etc., when thus delivered to such members of Congress not being so composed or marked as to indicate that the same were in any way inspired, secured or sent by such association or its members, but, on the contrary, being so composed and marked, etc., as to appear, when received by such members of Congress to be gotten up, secured and sent upon the own voluntary initiative of the signers thereof, and being well calculated to have, and actually having, the effect of deceiving such members of Congress because of the fact that such members are intended thereby to be, and are, led to believe that such petitions, etc., but express the spontaneous, and uninfluenced, sentiments and opinions of the signers thereof as well as of others of their constituents. That such activities of such association amount to a palpable fraud upon the public, the public service, and all the members of Congress, and such fraud is intended to have the effect, and in many instances does have the effect of affecting the course and result of legislation.

As illustrative of the aforesaid methods pursued by such association, and its members—including defendant—your petitioner shows unto the Court that on or about the dates named in the communications quoted below the correspondence quoted passed between said association and its members and as a result thereof the petitions, etc., quoted were gotten up and sent—at the expense of said association and its members—to various members of Congress, as therein indicated with respect to the subject matter therein mentioned, to-wit:

(1) "WESTERN UNION NIGHT LETTER

"Chicago, Ill., May 5, 1914.

"H. Wilkins,

"President Galveston Brewing Co.,

"Galveston, Texas.

"Hobson resolution providing Nation-wide prohibition reported to House by committee this morning and may come to a vote immediately. Imperative that you prevail upon all friends possible to send letters and telegrams immediately to member from your district protesting against passage; also hasten protest petitions now in circulation to members of Congress. Act without a moment's delay and devote all your time to this matter, for our entire existence depends upon it.

ANDREAE."

## (2) "WESTERN UNION NIGHT LETTER

"Chicago, Ill., June 15th, 1914.

"Mr. H. Wilkins,

"President Galveston Brewing Co.,

"Galveston, Texas.

"Practically certain that Hobson resolution will come to vote immediately after July 1st. Opponents of measure in Congress strongly urge that all interested again send telegrams and letters of protest to their individual Congressmen between now and July 1st. Do not hesitate to ask friends to wire again. The splendid response my last appeal for such telegrams proved most effective and if you and your friends now repeat this action there is hope that measure will be defeated. Give this attention night and day from now until vote is taken, and enlist all your employees and friends in this important work.

ANDREAE."

Telegrams, identical or of like import, were sent or caused to be transmitted members of such association, and to persons, firms, corporations, etc., interested in the manufacture and sale of intoxicating liquors throughout the United States, and especially to defendant and other such persons, firms, corporations, etc., in Texas, and the suggestions therein contained were acted upon—and especially so by defendant and such other Texas persons, firms, corporations, etc.—as is correctly shown by the following:

(3) On or about May 11th, 1914, Louis A. Adoue, an officer of the Galveston Brewing Company and of the American Brewing Association, wrote and transmitted to said American Brewing Association the following letter with respect to the subject matter of such telegrams, to-wit:

"MISTROT &amp; ADOUE

"Galveston, Texas, May 11, 1914.

"Refer your answer to File No. 2.

"Mr. H. Prince,

"Care American Brewing Association,

"Houston, Texas.

"Dear Sir:

"I acknowledge receipt of your favor of May 10th enclosing copy of telegram.

"I am inclined to believe such telegrams as you can possibly get influential men to send will be of great assistance. I have had Mr. Kampner, Mr. Sealy and Mr. Stern and others do it from this end.

"You have possibly noticed in this morning's paper Mr. Underwood's statement as to wanting it brought up—threshed out and settled.

"I notice your telegram which covers the situation fully, and as I stated before, if you can get several other prominent citizens to wire it will be of great benefit.

"I enclose copy of the wire I sent the other day. With best wishes, beg to remain, Yours very truly,

"Enc.

LOUIS A. ADOUE.

"P. S.—Also enclosing copy of my letter to the CONGRESSMEN."

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"COPY NIGHT LETTER—POSTAL TELEGRAPH CO.

Hon. Charles A. Culberson,  
"Member of Congress,  
"Washington, D. C.

"I urge your voting against the resolution providing for Nation-wide prohibition, depriving citizens of liberties and privileges they are justly entitled to. The same feeling is voiced by large majority of the citizens in this district.  
L. A. ADOUE."

(Same telegram also sent to Hon. A. W. Gregg.)

"Hon. A. W. Gregg,  
"Member of Congress,  
"Washington, D. C.

"My Dear Sir:

"I beg to confirm my telegram of even date in regard to the resolution as designed not only to interfere in the most unwarranted manner with our liberties and privileges as men and citizens, but also with total disregard for the rights of property and vested interest—to destroy the existence of huge industries and trades, giving employment to millions of citizens, which industries and trades have grown to their present proportions under the protection and with the sanction and encouragement of the law—which contributes one-quarter of a billion dollars annually to the revenue of the country.

"I am inclined to believe furthermore that the passing of this resolution would be a violation of State rights which forms the very basis of our National Constitution. I, therefore, most earnestly request you to vote against said resolution.

"Thanking you for your consideration, and with best wishes, beg to remain, Yours very truly."

(Copy of this letter was also sent to Hon. Charles A. Culberson, Member of Congress, Washington, D. C.)

"TEXAS BREWING CO.

"Fort Worth, Texas, May 9, 1914.

"Mr. R. L. Autrey,  
"Houston, Texas.

"Dear Autrey:

"\* \* \* We were not, however, idle, and the following telegrams, written mostly by ourselves, were forwarded, we having obtained the proper authority for affixing the signatures.

"The longer one—signed by the many different individuals—is worthy of note from the fact that these parties are the most representative in the community, and well known to Callaway. Yours truly,

"J. E. WEEDEN."



## "TELEGRAM POSTAL TELEGRAPH-CABLE COMPANY

"Fort Worth, Texas, May 8th, 1914.

"Hon. Oscar Calloway,

"Member of Congress,

"Washington, D. C.

## "DAY LETTER.

"We, the undersigned citizens of Fort Worth, your friends, supporters and constituents, regret exceedingly that the Hobson resolution is before Congress. We do not believe in Nation-wide prohibition as a settlement of the liquor question. On the contrary, we believe such Federal action, tending towards central government, to be undemocratic and a dangerous encroachment upon the sovereignty of the States for which our fathers fought. We hope you will be active in the matter, voting against the measure and using your influence for its rejection.

"(Signed by sixteen men and three firms of the city of Fort Worth, all constituents of the Hon. Oscar Calloway.)"

## "COPY

"66 paid night letter.

Fort Worth, Texas, May 7, 1914.

"Hon. Oscar Calloway,

"Member of Congress,

"Washington, D. C.

"We, the Sons of Herman, protest against the passage of the undemocratic Hobson Nation-wide prohibition resolution. Coming to this land of the free, we hold as a sacred trust our personal liberty. We ask you to vote and work against this resolution.

"CARL SCHILDER,

"President Tarrant Lodge No. 92, Orden der Herman Sohne.

"OTTO SPROEL,

"President Fort Worth Lodge No. 33.

"HANS FAD,

"President Niederwald Lodge No. 126."

## "COPY

"38 paid night letter.

Fort Worth, Texas, May 7, 1914.

"Hon. H. W. Sumners,

"Member of Congress,

"Washington, D. C.

"Sorry to see Hobson resolution before Congress. Hope it can be beaten. Consider Nation-wide prohibition undemocratic and tyrannical. We, your friends, urge you not only to vote against it, but to use all your influence for its defeat.

## "CENTRAL LABOR BODY."

(Same telegram as to Sumners was sent to Calloway, May 6, signed by Comer and others.)

## SUBDIVISION NO. 10.

For the purpose of carrying out the aforesaid general purposes, in whole or part, and for other purposes, the defendant, and other

members of the Texas Brewers' Association, many years ago became members of the financial supporters of an association in Texas now known as the "Texas Business Men's Association," the purposes of which association were, and always have been, in part to affect, influence or control legislation in Texas and the results of elections and none of which purposes were or are within the corporate purposes or powers of the defendant, the details of which purposes will be made to appear upon final hearing hereof.

To said Texas Business Men's Association the defendant has, from time to time, contributed, and will continue to contribute unless restrained, large amounts of money out of its corporate funds, the exact amount of which petitioner cannot now allege, but the same are well known to defendant and will be made to appear upon final hearing hereof.

As illustrative, in part, of the connection of the defendant with said Texas Business Men's Association, and the purposes of such connection, etc., petitioner shows unto the Court the following:

One J. A. Arnold for many years has been the active managing officer in charge of the affairs of said Texas Business Men's Association; one Peter Radford, on February 7, 1914, and prior to said date and thereafter was an officer and employe of said Texas Business Men's Association; one J. E. Weeden has for many years been one of the active officers in charge of the Texas Brewing Company's affairs; one R. L. Autrey has for many years been one of the active officers in charge of the affairs of the Huoston Ice and Brewing Company; one Otto Koehler has, and had been for many years, one of the officers actively in charge of the affairs of the San Antonio Brewing Association, and one W. J. Althans has for many years been, in part, in active charge of many of the affairs of said Texas Brewing Company, Lone Star Brewing Company, American Brewing Association, Galveston Brewing Company, Adolphus Busch and Anheuser-Busch Brewing Association.

On the 7th day of February, 1914, said Weeden, as such officer, wrote and transmitted to said Althans the letter first hereinafter copied, enclosing a certain typewritten article; on February 8th, 1913, an article was published in the Fort Worth Record, and other daily papers, over the names of Peter Radford and W. D. Lewis, which published article contained the typewritten article so enclosed by Weeden to Althans; and on February 9th, 1914, said Althans wrote and transmitted to said Weeden the letter last copied herein, such letters being as follows, to-wit:

"February 7, 1914.

"Mr. W. J. Althans,

"Care Lone Star Brewing Co.,

"San Antonio, Texas.

"My Dear Althans:

"RELATING TO COMMERCIAL SECRETARIES.

"When the tension of my mind, incident to poll tax and annual

matters was relieved, I turned to these things which will develop as you read.

"Am come from an interesting conference with Arnold, behind closed doors. Parenthetically, I will put in here—even at the risk of an I-told-you-so attitude—it is no small gratification to find him and the Commercial Secretaries everything—and more—that I tried to insist they would be years ago when nobody but you would listen to me. The enclosed pamphlet was given the usual 'Arnold publicity.' The clipping I handed you was 'plated,' and handled by some 650 country publications. Unfortunately, the dailies did not use it, or you would have received them, but they will have the enclosed, which chokes off Radford from endorsing anybody until we are ready, which he was about to do (Ferguson). Arnold considers it a fine piece of work to have checked him, and has got him off on a vacation to keep him quiet. It was well to have him sign the statement with the president. It, of course, will also be 'plated' to six or seven hundred country publications. ✓

"Very pleasantly, not at all with the least 'grouch,' but apparently quite seriously, he opened a matter which I pass to you simply as information, or, in case you deem it wise, or desirable, to evolve it, please do so without mentioning me.

"The fact that I generally sneaked in and saw him 'behind closed doors' he compared to Autrey and Koehler taking him to lunch in a hotel. Said a mean reporter with a kodak, showing them together, could destroy all his opportunity to aid us, and he expressed a fear that letters which Autrey was continually writing him (I am registering this) might stray into a boomerang.

"So far as Autrey is concerned, I think I shall heed his call to Houston, despite the fact that our economical president says: 'These trips cost all they are worth.' But the other man, I shall, or will, not talk it to.

"The norther hits us hard, which is all right; we have so much repairs, low temperature helps.

"Shall be glad to hear from you. Cordially yours.

"Dict."

(TT-36.)

(Letter-Head San Antonio Brewing Association)

"San Antonio, Texas, February 9, 1914.

"Mr. J. E. Weeden,

"Care Texas Brewing Co.

"Fort Worth, Texas.

"My Dear Weeden:

"I am just in receipt of yours of the 7th, and had already seen the article in the 'San Antonio Express' of yesterday. I considered it of sufficient importance to send it at once to Clauss, asking him to inform me at once whether Andreae had sent any of his men into Texas. Good work can be accomplished along the lines you indicate, and when you attend the next meeting I wish you to impress upon Autrey the



necessity for great circumspection in his correspondence and to be absolutely sure of the loyalty of his stenographer.

"So as not to write two letters on the same subject, I wish to add here that Mr. Cetti should by all means write to our new director in St. Louis, asking him to induce all the members of the family to actively support our cause. He will know what I mean. Always glad to hear from you, and with kindest regards, I remain, Cordially yours,  
"W. J. ALTHANS."

#### SUBDIVISION NO. 11.

Throughout its corporate existence the defendant, and the other members of said Texas Brewers' Association through said association, and otherwise, has misused its corporate funds, means and assets and franchises and powers in attempts to affect, influence or control the editorial policies of and the publication of articles by certain newspapers in Texas, the details of which petitioner cannot now specifically allege, but the same are well known to defendant and will be made to appear upon final hearing hereof.

#### SUBDIVISION NO. 12.

Petitioner says that the defendant, and the other members of the Texas Brewers' Association, through said association, and otherwise, have used their corporate funds, means, assets and corporate franchises and powers, in the ways alleged, and in other ways, to affect, influence or control the results of the various elections held in Texas during the year of 1914, and especially with respect to the candidates and questions voted upon at the general Democratic primary election held on July 25th, 1914. Petitioner cannot now specifically allege the amounts of money so used by each or all of such parties, but does say that the same amounted to at least a sum equal to 15 cents per barrel on all beer sold by each and all of them during the year 1913, or the sum of \$ ———, the details of such expenditures being well known to defendant and the same will be made to appear upon final hearing hereof.

#### SUBDIVISION NO. 13.

Petitioner says that, in addition to all the matters and things hereinbefore alleged, the defendant, either through said Texas Brewers' Association, or otherwise, has from time to time during each and every year of its corporate existence used its funds, means and assets, and its corporate franchises and powers to affect, influence or control the result of elections in Texas, and to carry out the aforesaid general purposes, the details of which petitioner cannot now allege, but the same are well known to defendant and will be made to appear upon final hearing hereof.

#### SUBDIVISION NO. 14.

Petitioner says that in such of the correspondence, etc., quoted hereinabove the names of persons are herein omitted; such names are

well known to defendant, and will be furnished by petitioner upon final hearing hereof if the Court deems the same to be material or necessary.

#### SUBDIVISION NO. 15.

As aforesaid, each and all of the foregoing things and acts have been done by the Texas corporations herein mentioned pursuant to, and as a part of, the aforesaid conspiracies, combinations, intents and purposes, formed before the incorporation of such corporations by the owners, managers and controllers of the properties and businesses later acquired by such corporations, such properties and businesses, and organizations being used as the instrumentalities whereby such continuing conspiracies and combinations and series thereof, were transmitted to such corporations—and the same, as well as the methods and machinery and organization—including the Texas Brewers' Association—were all adopted by and have been continuously carried out by each and all of such Texas corporations immediately after and since the respective dates of such incorporations through the same, or similar means and methods and machinery—including the Texas Brewers' Association—as the means, methods and machinery for the carrying out of the same prior to the respective dates of such incorporations.

Pursuant to, and as a part of the aforesaid continuing conspiracies, combinations, intents and purposes, and the instrumentalities through which the same have always been carried out—including the Texas Brewers' Association—and as adopted and since used and carried out by the defendant and such other Texas corporations continuously since the respective dates of their incorporations each and all of the purposes, acts and things hereinafter mentioned have been done and attempted to be done, and will be so continued to be done.

In the alternative, petitioner says that if it not be true that the things hereinafter mentioned were done pursuant to, and as a part of the aforesaid continuing conspiracies, purposes, intents, combinations and by means of such instrumentalities, machinery and schemes, then, in that event, all things herein mentioned have been done for the accomplishment of the purposes herein mentioned, by the defendant and the other parties mentioned in other and similar ways, and by the use of other and similar instrumentalities, and pursuant to other like and similar conspiracies, intents and purposes.

\* \* \* \* \*

#### SUBDIVISION NO. 26.

WHEREFORE, by reason of the matters and things set forth in Subdivisions — hereof, the defendant has, throughout its corporate existence, systematically and continuously, grossly abused the corporate franchises, powers and privileges conferred upon it by its charter and the law, and violated such franchises as well as its contract with the State of Texas, and has continuously and systematically misused its corporate stocks, funds, means and assets for the accomplishment of

purposes foreign to its charter powers, and to wreak untold injury upon the public, all contrary to and in flagrant violation of the law and public policy of the State, and because thereof it has forfeited its right further to retain such charter, franchises, powers and privileges and made itself liable to the infliction of penalties, as provided by law, and because thereof your petitioner prays that judgment be entered herein:

(1) Cancelling, revoking and forfeiting such charter, franchises and powers, and ousting defendant from the further use or enjoyment thereof; and,

(2) Assessing and inflicting a substantial penalty, by way of fine, as provided for in Article 6402, R. S., of 1911.

#### SUBDIVISION NO. 27.

WHEREFORE, by reason of the matters and things set forth in Subdivisions ——— hereof, the defendant has violated the terms and provisions of Section 1, Chapter 84, General Laws of Texas of 1907, with respect to the making of each and every payment to the Texas Brewers' Association, and for other purposes, and has become liable to the State of Texas for the penalties provided by Section 2 of said Act, and your petitioner prays that judgment be entered herein against the defendant and in favor of the State of Texas for such penalties for each and every such acts.

#### SUBDIVISION NO. 28.

WHEREFORE, by reason of the matters and things set forth in Subdivisions ——— and ——— hereof, defendant has violated the provisions of Section 3, Chapter 166, General Laws of Texas of 1907, and has forfeited its right further to have and enjoy its said charter and all franchises and rights which it holds under such charter or by virtue of the laws of the State of Texas, and your petitioner prays that judgment be entered herein forfeiting, revoking and cancelling such charter, franchises and powers, and restraining defendant from further exercising or enjoying the same.

#### SUBDIVISION NO. 29.

WHEREFORE, by reason of the matters and things mentioned in Subdivisions ——— and ——— hereof, defendant has violated the terms and provisions of Sections 1, 2 and 3 of Chapter XCIV, General Laws of 1903, and for each and every day from June 24th, 1904, to the present time has forfeited its right further to hold its charter or to have and enjoy the franchises and powers conferred upon it thereby or by law, and your petitioner prays that judgment be entered herein forfeiting, revoking and cancelling such charter, franchises and powers and restraining defendant from the further use or enjoyment thereof;



and that judgment be entered herein in favor of the State of Texas and against the defendant for penalties as follows:

(1) For each and every day from November 29, 1901, to the 10th day of July, 1909, the sum of \$50.

(2) For each and every day from the 10th day of July, 1909, up to the date of judgment herein, the sum of not less than \$50 nor more than \$1,500.

#### SUBDIVISION NO. 30.

Petitioner says that the State of Texas, by virtue of law, has a lien upon all property, both real and personal, of the defendant in Texas to secure the payment of any judgment that may be rendered herein for the penalties herein prayed for, as well as for costs of suit, and petitioner prays that judgment be entered herein fixing and foreclosing such lien in favor of the State of Texas, and ordering the property of the defendant to be sold to pay the same, and that, pending final judgment herein, an order be entered enjoining and restraining defendant from in any manner or to any extent disposing of or encumbering any of its real property within the State.

#### SUBDIVISION NO. 31.

Premises further considered, petitioner prays that upon final hearing hereof a receiver or receivers be appointed by the Court to take charge of the property, business and affairs of the defendant, to wind up its affairs and to do such other acts and things with respect thereto as may be proper under the law and the proper order of the Court.

In the event that the court should not enter judgment herein forfeiting and cancelling the charter and franchises of the defendant, as prayed, then petitioner prays that judgment be entered forever restraining and prohibiting the defendant, and each and all of its officers, agents and employes from in any manner, directly or indirectly, further using the franchises and powers, stocks, funds, means and assets of the defendant for the accomplishment of any of the purposes hereinbefore alleged and from making any further payments out of such funds, means and assets, or promising to make such further payments, to any of the organizations hereinbefore mentioned, or their officers, agents or employes, and from making any further such payment to any similar organizations.

#### SUBDIVISION NO. 32.

Petitioner prays that judgment be entered herein against the defendant for all costs of suit and for such other relief, both general and special, to which petitioner may be entitled in law or equity.

B. F. LOONEY, Attorney General of Texas,

C. M. CURETON, Assistant Attorney General,

W. A. KEELING, Assistant Attorney General,

C. A. SWEETON, Assistant Attorney General,

H. E. PHARR, County Attorney, Hopkins County,

C. E. SHEPPARD, Special Counsel,  
D. THORNTON, Special Counsel,  
LUTHER NICKELS, Assistant Attorney General,  
Attorneys for the State of Texas.

State of Texas,  
County of Travis.

I, Luther Nickels, do solemnly swear that I have good reason to believe and do believe that the statements contained in the foregoing petition are true and correct. LUTHER NICKELS.

Subscribed and sworn to before me on this the 7th day of January, A. D. 1915. W. P. DUMAS,

Notary Public, Travis County, Texas.

State of Texas,  
County of Hopkins.

In the District Court of Hopkins County,  
Texas, Eighth Judicial District of Texas.

Comes now B. F. Looney, Attorney General of Texas, acting herein as such officer in the name of the State of Texas and in behalf of the people of said State, and presents this petition for leave to file the accompanying petition, and information in the nature of a quo warranto, in the name of the State of Texas, against the San Antonio Brewing Association, a private corporation having its domicile in San Antonio, Bexar County, Texas; prays that said accompanying petition be considered by the Court, or Judge thereof, in connection with this petition and prayer.

B. F. LOONEY,  
Attorney General of Texas.

The above and foregoing petition for leave to file an information in the nature of a quo warranto in the name of the State of Texas, having been presented to me and the same having been considered and understood by me, and it appearing to my satisfaction that there is probable ground for the proceedings, said petition is hereby granted and it is hereby ordered that said information and the accompanying petition be filed and that the clerk of this Court do issue citation thereon as prayed for therein and as provided by law.

WILLIAM PIERSON,  
District Judge, Eighth Judicial District of Texas.

## PART TWO—FUNDS

The statement of funds collected through the Texas Brewers' Association, made in this connection, shows funds collected and expended in political work by the breweries exclusive of and in addition to such funds as were expended by them individually and without the intermediary of the association. Large amounts of money were expended by each of the breweries each year, in addition to that spent through the Brewers' Association for political work; such of this as the evidence discloses will be found in the evidence offered in connection with the subjects of "Local Option," "Texas Brewers' Association—General," etc., etc. It is well to bear in mind here that the totals spent by the breweries directly, as well as through the Brewers' Association, represent by no means the grand totals spent in Texas during the years covered by this evidence, for the same general purposes, because many thousands of dollars annually were spent by saloon-keepers and other retail liquor dealers, by the interests allied with the saloons and breweries, and by individuals—none of which is included in the amounts; neither are the amounts spent by the wholesale liquor dealers—which represent large sums—included in this evidence, except for the period of time from 1898 to 1902, and except for a few isolated instances since that time. It will be remembered, also, that the sums represented in the evidence in this case do not cover all funds expended by the breweries for these purposes; they simply represent what the State is able to prove, the indications and the presumptions to be drawn from the evidence being that the sums proved constitute but a part—probably a small part—of the grand totals spent.

In a rough way the evidence shows collections and expenditures, through the Texas Brewers' Association **alone**, as follows:

The payments made through the Brewers' Association were usually apportioned amongst the breweries, Texas and foreign, upon the basis of their annual barrelage sales. This barrelage, roughly speaking, totaled about 1,000,000 per year. From 1902 to about June, 1907, the basis was 20 cents per barrel, with an additional assessment from time to time for "emergencies." For this period, therefore, upon this basis, approximately \$900,000 was thus raised. During the last six months of 1907 the basis was reduced to 5 cents per barrel, productive of about \$50,000. For the years of 1908 and 1909 the basis was replaced at 20 cents, productive of about \$400,000 revenues for the two years. For 1910 the basis was 30 cents, representing collections of about \$300,000, and for the Texas breweries, for 1911, the basis was 60 cents per barrel, on a barrelage of 600,000, or \$360,000. To these sums for 1911 must be added the contributions by the foreign breweries, liquor dealers—wholesale and retail—supply dealers, individuals, etc., etc., reference to which will be made hereafter.

The following telegram was sent, May 15, 1902, by Otto Wahr-



mund to Adolphus Busch, St. Louis, with respect to a meeting of the association at Fort Worth to raise funds:

"Just returned from Fort Worth. Fifty thousand absolutely required. Liquor people guarantee twenty-five thousand this amount, other twenty-five thousand to be taken care of by brewers. Committee unanimously of opinion outside breweries should provide ten thousand, Texas breweries fifteen thousand, and requested me to ask you for five thousand start ball rolling. Something must be done immediately, as twelve elections now ordered. Outside your donation of one thousand only, not one dollar contributed by outside breweries." (S-280.)

On May 21st, 1902, Adolphus Busch wired G. H. Luedde, manager of August A. Busch & Company, Waco, as follows:

"New York, May 18th, 1902. G. H. Luedde, Waco, Texas. I strongly favor an assessment of 5 cents a barrel on all beer sold in the State to furnish sufficient campaign expenses. We must win. There must be no such thing as defeat. Inform all interested." S-297.)

The specific proof of payments which we are at this time to show is arranged, by years, as follows:

Payments by—	Date.	Amount.	Reference.
	1902.		
American Brewing Association.....	4-14-02	\$ 550.00	A-297
Texas Brewing Company.....	4-16-02	550.00	T-178
American Brewing Association.....	4-16-02	500.00	A-530
Hugho & Smetler .....	5-15-02	150.00	S-281
Oppenheim & Company ... ..	5-15-02	100.00	S-281
Meyer .....	5-15-02	100.00	S-281
American Brewing Association.....	5-21-02	2000.00	S-295
Lemp Brewing Company.....	5-21-02	688.30	S-295
Pabst Brewing Company.....	5-21-02	100.00	S-295
San Antonio Brewing Association...	5-26-02	1200.00	S-314
American Brewing Association.....	7- 7-02	500.00	A-656
Lone Star Brewing Company.....	7-28-02	250.00	S-488
San Antonio Brewing Association...	10-28-02	500.00	S-692
	1903.		
San Antonio Brewing Association...	1-17-03	1000.00	S-802
American Brewing Association.....	1-27-03	500.00	A-774
San Antonio Brewing Association...	2-19-03	1000.00	S-843
Cincinnati .....	2-20-03	1500.00	S-845
Louisville .....	2-20-03	1300.00	S-845
Edgewood Distilling Company.....	2-20-03	100.00	S-845
Texas Brewing Company.....	7-23-03	492.00	T-196
	1904.		
American Brewing Association.....	1-11-04	810.00	D-24
Dallas Brewery .....	2-12-04	838.00	D-63
San Antonio Brewing Association...	2-12-04	1817.20	S-1197

American Brewing Association.....	2-16-04	1195.20	A-1331
San Antonio Brewing Association...	2-15-04	908.60	D-65
Lone Star Brewing Company.....	2-16-04	922.45	D-66
Texas Brewing Company .....	2-13-04	1293.50	D-67
Pabst Brewing Company .....	2-22-04	1000.00	D-78
San Antonio Brewing Association...	2-21-04	908.60	D-79
Dallas Brewery .....	5-12-04	855.25	D-172
San Antonio Brewing Association...	5-14-04	1888.00	S-1301
Houston Ice and Brewing Company.	5-14-04	1694.60	S-1301
Texas Brewing Company.....	6- 9-04	1024.00	T-228
American Brewing Association.....	6-14-04	1239.40	A-1104
Dallas Brewery .....	9-10-04	1469.35	D-211
San Antonio Brewing Association...	9-12-04	1592.00	S-1577
Texas Brewery .....	9-15-04	805.02	T-238
Texas Brewery .....	12- 1-04	627.50	T-248
San Antonio Brewing Association...	12- 1-04	1314.40	S-1704
American Brewing Association.....	12- 2-04	794.00	A-1234

The San Antonio Brewing Association ledger entries show a total remitted for 1904 of \$8,046 (S-94); the ledger entries of the American Brewing Association, 1904, show a total remitted of \$6,126.20 (AA-43); the Houston Ice and Brewing Company's ledger entries show a total of \$8,036.10 (HH-4-5); Texas Brewing Company's ledger entries for 1904 show a total remitted of \$5,595.76 (T-1704); ledger entries for the Lone Star Brewing Company, for 1904, show a total remitted of \$4,703.18 (L-1195).

## 1905.

San Antonio Brewing Association...	1-12-05	1080.20	S-1760
Texas Brewery .....	1-13-05	977.20	T-270
Texas Brewery .....	1-10-05	572.00	T-271
San Antonio Brewing Association...	2- 0-05	975.20	S-1829
American Brewing Association.....	2-11-05	629.75	A-1262
San Antonio Brewing Association...	3- 6-05	1170.05	S-1865
Texas Brewing Company .....	3-17-05	1148.95	T-310
Texas Brewing Company .....	4-12-05	500.00	T-330
Dallas Brewery .....	4-12-05	500.00	T-330
B. Adoue .....	4-12-05	500.00	T-330
San Antonio Brewing Association...	4-14-05	1572.30	S-1931
Texas Brewery .....	4-20-05	1010.60	T-331
San Antonio Brewing Association...	5- 6-05	3119.05	S-1973
Texas Brewery .....	5- 6-05	1882.65	T-351
San Antonio Brewing Association...	7-22-05	1880.35	S-2187
San Antonio Brewing Association...	8-29-05	1791.70	S-2340
Texas Brewery .....	9-13-05	2215.60	T-412
American Brewing Association .....	9-12-05	1187.60	A-1418
San Antonio Brewing Association...	11- 4-05	2075.80	S-2478
Texas Brewery .....	11- 8-05	2065.20	T-436
American Brewing Association .....	11- 9-05	1173.00	A-1455
American Brewing Association .....	12-22-05	1165.80	A-1489
Texas Brewery .....	12-18-05	997.80	T-470

The San Antonio Brewing Association ledger entries show a total remitted for 1905 of \$14,551 (S-97); the ledger entries of the American Brewing Association, 1905, show a total remitted of \$11,757.50 (AA-35); the Houston Ice and Brewing Company's ledger entries show a total of \$16,368.25 (HH-7); Texas Brewing Company ledger entries show a total of \$9,490.65 (T-1705); the ledger entries of the Galveston Brewing Company, 1905, show a total remitted of \$1,391.90 (G-1); ledger entries of the Lone Star Brewing Company, for 1905, show a total remitted of \$9,290.87 (L-1195).

## 1906.

Texas Brewing Company.....	2- 5-06	916.60	T-507
San Antonio Brewing Association...	2- 5-06	1833.75	S-2676
Texas Brewing Company.....	3- 1-06	1246.70	T-522
San Antonio Brewing Association...	3- 1-06	1264.85	S-2323
American Brewing Association.....	3-15-06	751.80	A-1526
San Antonio Brewing Association...	4- 5-06	1009.80	S-2392
Texas Brewing Company.....	4- 6-06	1286.80	T-556
Texas Brewing Company.....	5- 1-06	443.70	T-577
San Antonio Brewing Association...	5- 3-06	907.10	S-2443
Texas Brewing Company.....	5-26-06	1799.90	T-604
San Antonio Brewing Association...	5-26-06	5265.90	S-2534
American Brewing Association.....	6- 1-06	2091.40	A-1618
Aug. A. Busch & Co.....	7-16-06	871.25	T-640
San Antonio Brewing Association...	8- 9-06	1925.10	S-2730
Texas Brewing Company.....	8-11-06	2165.20	T-655
Texas Brewing Company.....	8-14-06	846.70	T-657
Texas Brewing Company.....	9-12-06	1087.00	T-684
San Antonio Brewing Association...	9-12-06	1912.30	S-2675
Dallas Breweries .....	10-17-06	876.65	D-376
San Antonio Brewing Association...	10-19-06	2548.60	S-2862
San Antonio Brewing Association...	12- 2-06	2378.60	S-2915

The ledger entries of the Texas Brewing Company for 1906 show a total remitted of \$8,392.95 (T-1705); the ledger entries of the Galveston Brewing Company show a total remitted, 1906, of \$4,813.95 (G-1); the ledger entries of the American Brewing Association, 1906, show a total remitted of \$11,757.50 (AA-35); the ledger entries of the Houston Ice and Brewing Company, 1906, show a total remitted of \$9,797.95 (HH-9); the ledger entries of the San Antonio Brewing Association for 1906 show a total remitted of \$25,186.65 (S-105); .

## 1907.

San Antonio Brewing Association...	2- 6-07	1531.95	S-3032
Dallas Breweries .....	2- 8-07	616.00	D-397
American Brewing Association.....	2- 8-07	934.40	A-1820
Lemp Brewing Company.....	2-11-07	.....	D-401
San Antonio Brewing Association...	2-17-07	1106.85	S-3043
Lone Star Brewing Company.....	2-18-07	.....	D-404
Dallas Breweries .....	2-18-07	469.10	D-405
Lemp Brewing Company .....	2-19-17	.....	D-406
San Antonio Brewing Association...	3-11-07	2532.55	S-3108



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Dallas Breweries .....	3-13-07	1072.55	D-410
Lemp Brewing Company .....	3-16-07	.....	D-412
San Antonio Brewing Association...	4- 9-07	1515.45	S-3182
Dallas Breweries .....	4-11-07	683.80	D-419
Lemp Brewing Company .....	4-15-07	328.80	D-421
Dallas Breweries .....	5-17-07	1742.80	D-438
San Antonio Brewing Association...	5-20-07	4008.45	S-3274
Texas Brewing Company.....	5-20-07	2700.00	D-440
Dallas Breweries .....	6-22-07	1054.90	D-438
American Brewing Association.....	6-24-07	1602.60	A-1937
San Antonio Brewing Association...	6-24-07	.....	S-3340
Lemp Brewing Company .....	6-20-07	502.20	D-493
San Antonio Brewing Association...	8-12-07	598.45	S-3481
Lemp Brewing Company.....	8-23-07	.....	D-553
American Brewing Association.....	9-10-07	358.75	A-2071
Lone Star Brewing Company.....	9-11-07	.....	D-579
Galveston Brewing Company.....	9-11-07	.....	D-579
Dallas Breweries .....	9-13-07	294.70	D-583
San Antonio Brewing Association...	10- 2-07	671.05	S-3613
Dallas Breweries .....	10- 9-07	257.50	D-614
San Antonio Brewing Association...	11- 5-07	544.95	S-3701
Dallas Breweries .....	11- 8-07	255.60	D-637
San Antonio Brewing Association...	12- 2-07	476.50	S-3772
Texas Brewing Company.....	12- 4-07	663.85	T-935
Dallas Breweries .....	12-27-07	179.20	D-655

The ledger entries of the Galveston Brewing Company for 1907 show a total remitted of \$4,377.69 (G-1); the ledger entries of the American Brewing Association for 1907 show a total remitted of \$10,-821 (AA-36); the ledger entries of the Houston Ice and Brewing Company for 1907 show a total remitted of \$16,667.95 (HH-10); the ledger entries of the San Antonio Brewing Association for 1907 show a total remitted of \$38,023 (S-109). (Wahrmund's testimony, p-2.)

## 1908.

San Antonio Brewing Association...	1- 2-08	1000.00	S-3813
San Antonio Brewing Association...	1- 8-08	441.85	S-3929
San Antonio Brewing Association...	2- 4-08	2500.00	S-3924
San Antonio Brewing Association...	3- 8-08	2500.00	S-4056
San Antonio Brewing Association...	3-14-08	3786.12	S-4079
Dallas Brewery .....	5-23-08	1000.00	D-759

The ledger entries of the San Antonio Brewing Association for 1908 show a total payment of \$18,580 (see Wahrmund's testimony, page 3); the ledger entries of the Houston Ice and Brewing Company show payments of \$9,620 (see HH-23-31), plus the following payments made to John G. Willacy by that company, for expenses with respect to submission and legislative candidates:

May 27, to J. G. Willacy, printing, etc.....	\$ 50.25
June 1, to J. G. Willacy, V. V. Daniels.....	200.00

June 3, to J. G. Willacy.....	1.65
June 3, to J. G. Willacy.....	6.00
June 3, to J. G. Willacy.....	50.00
June 3, to J. G. Willacy.....	10.00
June 3, to J. G. Willacy.....	10.00
June 3, to J. G. Willacy.....	50.00
June 3, to J. G. Willacy.....	150.00
June 5, to J. G. Willacy.....	18.50
June 6, to J. G. Willacy.....	3.00
June 6, to J. G. Willacy.....	3.00
June 6, to J. G. Willacy.....	10.00
June 8, to J. G. Willacy.....	18.50
June 12, to J. G. Willacy.....	40.50
June 12, to J. G. Willacy.....	10.00
June 19, to J. G. Willacy.....	60.00
July 16, to J. G. Willacy.....	25.00
July 20, to J. G. Willacy.....	25.00
July 20, to J. G. Willacy.....	50.00
July 20, to J. G. Willacy.....	1,332.20
July 23, to J. G. Willacy.....	50.00
July 24, to J. G. Willacy.....	25.00
July 24, to J. G. Willacy.....	20.00
July 24, to J. G. Willacy.....	2.00
July 25, to J. G. Willacy.....	50.00
July 25, to J. G. Willacy.....	37.40
July 27, to J. G. Willacy.....	30.50
July 27, to J. G. Willacy.....	27.10
July 28, to J. G. Willacy.....	3.25
July 30, to J. G. Willacy.....	27.70
July 31, to J. G. Willacy.....	17.00
July 31, to J. G. Willacy.....	39.00
August 3, to J. G. Willacy.....	6.25
August 3, to J. G. Willacy.....	199.05
August 10, to J. G. Willacy.....	5.00
August 12, to J. G. Willacy.....	25.00
August 22, to J. G. Willacy.....	17.40
August 22, to J. G. Willacy.....	130.00
August 23, to J. G. Willacy.....	3.13
August 26, to J. G. Willacy.....	100.00
August 31, to J. G. Willacy.....	50.00
September 10, to J. G. Willacy.....	24.48
September 10, to J. G. Willacy.....	50.00
October 10, to J. G. Willacy.....	50.15

(HH-26-30.)

The following is a letter from R. L. Autrey, Houston Ice and Brewing Company, to the San Antonio Brewing Association (6-20-08):

"A meeting was held last night attended by Mr. B. Adoue, Mr. Otto Wahrmond, Mr. H. Hamilton and Mr. R. L. Autrey. It was decided that a very large sum is required, and that this sum must be available immediately.

"One of the means devised to raise part of the money is to assess all firms or corporations in and outside of Texas from whom all the Texas breweries have purchased supplies of every kind in the last twelve months, asking for a contribution equal to one per centum of the goods bought from them in the last twelve months.

"Each one of you is requested to send to the writer immediately a list of the names of your respective supply men, with the amount of purchases for one year. Promptly upon receipt of your information a letter will be written and the name of B. Adoue signed, asking each name furnished to contribute one per cent of the amount given.

"It is hoped that this means will give in excess of \$5,000.

"P. S.—Like letter is written to each brewery." (S-4502.)

To the above, the Galveston Brewing Company replied as follows:

"We beg to enclose you herewith list of names and amount of purchases from each by us during the year 1907." (The amount of the purchases shown by the list enclosed with the above is \$132,292.22.) (G-281.)

(See G. 282.)

Telegram sent by Houston Ice and Brewing Company to San Antonio Brewing Association (6-22-08):

"Awaiting your list of names to buy from. Send today." (S-4529.)

The following is a letter to the Houston Ice and Brewing Company (6-29-08):

"Noting and appreciating your kind advise of the 27th inst., beg to state that it was our intention to take care of all patrons ourselves, and for that reason we did not submit their names on the 1st which you sent." (S-4573.)

The following is a copy of a letter addressed to the Lone Star Brewing Company, Dallas Brewery, Texas Brewing Company by the Houston Ice and Brewing Company, per A. G. Griffith (6-26-08):

"From the list supplied by you we have mailed our circulars (a copy of which has already been sent you) to all the firms and corporations from whom the Texas brewers purchase their supplies. We did not, however, send this circular to any firms in San Antonio, Dallas or Fort Worth, and we respectfully suggest that you write a somewhat similar letter to every local firm whose customer you are, requesting them to send in their donation. The amounts collected can afterwards be remitted directly to the Texas Brewers' Association." (D-799.)

In accordance with the plan outlined in Autrey's letter of the 20th above, the following letter was sent to each person, firm and corporation throughout Texas, the United States and Europe from whom any of the breweries bought supplies of any kind during 1907:



"THE TEXAS BREWERS' ASSOCIATION

(Followed by name of each brewery.)

"Galveston, Texas, June 24th, 1908.

"Kansas City Machine Works,

"Kansas City, Mo.

"Dear Sirs:

"We have a State-wide prohibition fight on our hands and it is fast and furious. It has only one merit, and that is short duration.

"The fight is before the State Democratic primary, to be held July 25th. The result of the Texas Democratic primary is equivalent to an election, therefore, the result at the primary is for our purpose final.

"We need money and are appealing to all merchants, manufacturers, persons and corporations from whom each of the breweries in Texas bought goods in the year 1907 to give us one per cent of the amount of the bill bought and paid for.

"On this basis we assess you the sum of \$500.

"Kindly send us your check at once, making it payable to the writer individually. This donation from you will be bread cast upon the waters. Yours very truly,

TEXAS BREWERS' ASSOCIATION,

"B. Adoue, President." (S-4536.)

The following is an excerpt from a letter to Mr. B. Adoue (6-29-08):

"We beg to hand you herewith voucher your favor, together with exchange for the sum of \$5, sent to us in error by the Kansas City Machine Works of Kansas City, Mo." (S-4583.)

The following is a letter from the Houston Ice and Brewing Company to B. Adoue, Galveston (7-1-08):

"The one per cent assessment of our local merchants has brought in, in two days, \$948.52. I am sending copy of this letter to all the breweries, to advise them what we are doing and remind them in case any one does not act on the suggestion." (S-4587.)

Excerpt from letter from S. T. Morgan to R. L. Autrey (7-3-08):

"I have carbon copy of your letter of the 1st inst., addressed to Mr. Adoue. I am pleased to note that you have met with some success on the one per cent assessment in your city, and I regret that we cannot follow your example, but I am satisfied that should we make an effort along that line we would not only be turned down, but the pros would make capital of our request. You will understand we have an entirely different class of people to deal with in this city, and we congratulate ourselves when we succeed in getting some of our strong business men to organize an anti-submission committee." (D-816.)

Excerpt from letter written by San Antonio Brewing Association to Mr. B. Adoue, Galveston (7-4-08):

"We beg to hand you herewith check for the Borchert Malting Company, together with check for the sum of \$100 payable to your order. Although they were assessed with \$75 they go us one better and make it \$100, also write a very nice strain, which is certainly appreciated." (S-4604.)

The following is a letter from B. Adoue to S. T. Morgan, Dallas Brewery (7-6-08):

"Some of the breweries are receiving assessment checks. If you have any please send to me. I must have them all to keep correct report. So far remittances are showing up well, and next week we will send reminder to silent ones." (D-816.)

The following is a letter from S. T. Morgan to the Dallas Cooperage and Woodenware Company (7-6-08):

"I have your favor of the 4th inst., enclosing check for \$25 payable to Mr. B. Adoue, president Texas Brewers' Association; check to Mr. Adoue by this mail." (D-817.)

Excerpt from letter from S. T. Morgan to Mr. B. Adoue (7-7-08):

"Replying to your favor of the 6th inst, will state that I have received only one check, that of Dallas Cooperage and Woodenware Company for \$25, which I forwarded to you yesterday. The Liquid Carbonic Company, also the Brunswick-Balke Collender Company of this city asked me for your address, which I gave them, and I understood them to say that they had a check for you which you have no doubt received by this time." (D-818.)

Excerpt from letter from Armstrong Cork Company, per J. Herzog, to the Dallas Brewery (7-8-08):

"For your information will say that we sent you two checks, one for \$133 and one for \$200, to Mr. Adoue, president of Texas Brewers' Association, to aid you in winning the day." (D-819.)

Excerpt from letter from the American Antiformin Company to the Galveston Brewing Company (7-14-08):

"We have received a circular dated Galveston, Texas, and signed by the Texas Brewers' Association, B. Adoue, president, bearing at the head, your firm belonging to that association.

"In this circular we are appealed to contribute a sum of \$10 for the purpose of fighting prohibition in your State.

"Since a great many applications of a like nature have come to us and since the circular is simply typewritten and the party signing same entirely unknown to us, we would ask you to kindly inform us if the association exists in your State and if you are members thereof, also who the party is signing himself as president." (G-302.)

The following is a letter to C. H. Wheeler Mfg. Co. from the

American Brewing Association, per H. Prince, secretary and treasurer (7-28-08):

"We beg to own the receipt of yours of the 21st with check for \$25 towards the expenses of the prohibition movement in this State. We have forwarded the check to Mr. B. Adoue, treasurer of the organization.

"We note from the records of our friends with whom we have been doing business with have been assessed one per cent of the amount of business done with them for the past year. Your remittance, therefore, ought to have been \$75 and hope that you will favor us with an additional check for \$50, which we assure you will be thankfully received, and same will be applied for a good cause." (A-2367.)

The following is a letter from the Houston Ice and Brewing Company to the American Brewing Association (10-13-08):

"We enclose herewith list showing names of contributors, also list giving names of those who did not respond to our call." (A-2472.)

The following is a letter from A. G. Griffith of the Houston Ice and Brewing Company to the Texas Brewing Company, Fort Worth, (10-13-08):

"Herewith we beg to hand you list of contributors, and also a list of those who did not respond to our call." (T-1135.)

The list referred to above is as follows:

#### LIST OF CONTRIBUTORS.

American Steel Package Co., Defiance, Ohio.....	\$ 15.00
American Cork Co., St. Louis.....	200.00
American Hominy Co., Indianapolis.....	100.00
American Lignite Creguette Co., San Antonio.....	120.00
American Cork Specialty Co., Brooklyn.....	20.00
Allis-Chalmers Co., Dallas.....	5.00
Armstrong Cork Co., Pittsburg.....	133.15
Automatic Packing Machine Co., Chicago.....	5.00
American Antiformin Co., New York.....	10.00
American Malting Co., Milwaukee, member U. M. A.....	.....
Bayou City Rice Mills, Houston.....	50.00
Beebe Stave Co., Little Rock, Ark.....	200.00
Bottlers' Machinery Mfg. Co., Chicago.....	50.00
Borchert Malting Co., Milwaukee.....	100.00
Bishop & Babcock Co., Chicago.....	50.00
Beach, H. D. Company, Coshocton, Ohio.....	12.00
Brooklyn Bottle Stopper Co., Brooklyn.....	10.00
Barry-Wehmiller Mach. Co., St. Louis.....	125.00
Bayou City Mills Co., Galveston.....	5.00
Brunswick-Balke Collender Co., Chicago.....	200.00
Brewers' Special Machine Co., New York.....	10.00
Busch-Freund Brewers' Supply Co., St. Louis.....	175.00
Coshocton Glass Co., Coshocton, Ohio.....	25.00



Cale Lane Oil Co., Houston.....	2.67
Clarke & Courts, Galveston.....	5.00
Chilton Malting Co., Chilton, Wis.....	506.34
Cleveland Faucet Co., Cleveland, Ohio.....	25.00
Cincinnati Cooperage Co., Cincinnati .....	50.00
Cage, D. S. & Co., Houston.....	23.31
Crown Cork and Seal Co., Baltimore.....	100.00
Chicago Flexible Shaft Co., Chicago.....	5.00
Dallas Cooperage Co., Dallas.....	25.00
De La Vergne Mach. Co., New York.....	200.00
Detroit Steel Cooperage Co., Detroit.....	30.00
Deckerback, F. C. Sons & Co., Cincinnati.....	15.00
Ehlermann, Chas., Hop and Malt Co., St. Louis.....	505.00
Economic Specialty Co., Chicago.....	5.00
Erie Specialty Co., Erie, Pa.....	5.00
Edgewood Distilling Co., San Antonio.....	250.00
Edward Ermald, New York.....	5.00
Falk-Wermser & Co., Chicago.....	60.00
Farrell, Wm. J., New York.....	50.00
Fouerbacher, Frank W., St. Louis.....	100.00
Fort Wayne Cooperage Co., Fort Wayne, Ind.....	10.00
Gair, Robt., Co., Brooklyn.....	25.00
Golden Gate Mfg. Co., New York.....	140.00
Goldman, H. & Co., Chicago.....	20.00
Gilsonite Construction Co., St. Louis.....	10.00
Garlock Packing Co., New Orleans.....	5.00
Goerres, Philip, Cooperage Co., Milwaukee.....	10.00
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	\$3,808.40

## LIST OF CONTRIBUTORS (2).

Brought forward .....	\$ 3,808.40
Hartwell Iron Works, Houston.....	5.00
Heine Safety Boiler Co., St. Louis.....	50.00
Hasty, J. F. & Sons, Peragould, Ark.....	30.00
Heinisdorf, B. O., Chicago.....	10.00
Heller, A., Prague .....	100.00
International Coal Mines Co., Eagle Pass, Tex.....	20.00
Jones Gold Storage Door Co., Hagerstown, Md.....	10.00
Kansas City Mach. Works, Kansas City.....	5.00
Kaufman & Strauss Co., New York.....	100.00
Liquid Carbonic Co., Chicago .....	10.00
Leow Mfg. Co., Cleveland .....	60.00
Milwaukee Western Malting Co., Milwaukee.....	250.00
Milwaukee Com. and Importing Co., Milwaukee .....	35.00
Miller Mfg. Co., St. Louis.....	10.00
Meyer Supply Co., St. Louis .....	50.00
Magnus & Sons, A., Chicago.....	300.00
McFaddin-Weiss-Kyle Rice Mill Co., Beaumont.....	13.05
Milwaukee Bag Co., Milwaukee.....	10.00
Milwaukee Malting Co., Milwaukee, member U. M. A.....	.....
National Malting Co., Chicago.....	40.00
Nixon Malting Co., Dayton, Ohio.....	30.00
Northwestern Malt and Grain Co., Chicago, member U. M. A.....	.....

Ohio Galvanizing and Mfg. Co., Miles, Ohio.....	15.00
Ozark Cooperage and Lumber Co., St. Louis.....	50.00
Phoenix Brush & Mfg. Co., Chicago.....	10.00
Palm Fetcheler & Co., St. Louis.....	10.00
Parsons, J. M., Chemical Co., Chicago.....	5.00
Reymershoffer, J., Galveston .....	100.00
Revers Rubber Co., New Orleans .....	5.00
Root Glass Co., Terre Haute .....	200.00
Reynolds Dull Flasher Co., Chicago.....	5.00
Russell, Frank B., Louisville Ky.....	10.00
Reisinger, Hugo, New York .....	115.00
Robertson, W. F., Steel and Iron Co., Cincinnati.....	.35
Ruemile-Dawley Mfg. Co., St. Louis.....	5.00
Theinstron Bros., Cincinnati .....	15.00
Reinemann, Paul, New York.....	100.00
Rahr, Wm., Co., Maintowock, Wis., U. M. A.....	.....
Spanish-American Cork Co., Chicago .....	30.00
Schneible Co., Chicago .....	15.00
St. Louis Cooperage Co., St. Louis.....	50.00
Stephens Litho and Eng. Co., St. Louis.....	10.00
Schwarzwalder, J. & Sons, Louisville, Ky.....	75.00
Stevenson Co., Chester, Pa.....	5.00
Scharrer, Edw. Co., Constatt-Stuttgart, Germany.....	150.00
Southern Rice Co., Houston.....	50.00
Schaeffer-Budenberg & Co., New York.....	5.00
Sonnenschein & Laudemann, Prague, Bohemia.....	30.00
Schwill, Albert, & Co., Chicago, member U. M. A.....	.....
Schlitz, Jos., Brewing Co., Milwaukee.....	1,000.00
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\$7,011.80	

## LIST OF CONTRIBUTORS (3).

Brought forward .....	\$ 7,011.80
Sprague Electric Co., Milwaukee.....	5.00
Toledo Bushing Co., Toledo, Ohio.....	5.00
Texas Rice Mills, Houston .....	25.00
Tabor Pump Co., Buffalo .....	10.00
United States Bung Mfg. Co., Cincinnati.....	25.00
Uhrmann, S. & F., New York.....	50.00
United Malsters' Association .....	2,500.00
Vilter Mfg. Co., Milwaukee .....	100.00
Wensell, S. S., Machine Co., Philadelphia.....	10.00
Wolf & Co., Philadelphia .....	10.00
Wheller Condenser Co., New York.....	25.00
Wolf, Fred W., Co., Chicago.....	150.00
Wheeler, C. H., Mfg. Co., Philadelphia.....	25.00
Wangler, Ch., Mfg. Co., Jos. F. Boiler & Sheet Iron Works, St. Louis .....	10.00

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York Mfg. Co., York, Pa.....	15.00
Zoller, Chas., Co., New York.....	317.17
Grand total .....	<u>\$10,293.97</u>

## LIST OF THOSE DID NOT RESPOND TO OUR CALL.

Acme White Lead and Color Works, Detroit, Mich.  
 Adler & Hirsch, New York.  
 American Car and Foundry Co., St. Louis.  
 American Bottle Co., Chicago.  
 American Car and Equipment Co., Chicago.  
 Atlantic Rice Mills, Beaumont, Tex.  
 Austin Separator Co., Detroit, Mich.  
 Blair Milling Co., Atchison, Kan.  
 Crane & Co., St. Louis, Mo.  
 C. A. Mfg. Co., Austin, Tex.  
 Corn Products Refining Co., Chicago.  
 Cummins, B. F., & Co., Chicago.  
 Dimmick Pipe Co., Birmingham, Ala.  
 Delta Bag Co., New Orleans, La.  
 El Campo Rice Milling Co., El Campo.  
 Electro Motor and Equipment Co., Newark, N. J.  
 F. A. Fay & Eagan Co., Cincinnati, Ohio.  
 Fairbanks, Morse & Co., Kansas City, Mo.  
 Fairbanks Co., New Orleans, La.  
 Gifford Wood Co., Arlington, Mass.  
 Great Western Cereal Co., Chicago.  
 General Electric Co., Schenectady, N. Y.  
 Gugler Lithographing Co., Milwaukee, Wis.  
 Hermann Sons, Prague, Bohemia.  
 Hohman & Marreer Mfg. Co., Rochester, N. Y.  
 Helback Deckman Ref. and Fixit. Co., St. Louis.  
 Hartford Rubber Co., Hartford, Conn.  
 Heyman & Co., Oscar., New York.  
 Huss Bros. Mfg. Co., Cincinnati, Ohio.  
 Houston Rice Milling Co., Houston.  
 International Fileter Co., Chicago.  
 A. L. Ide & Sons, Springfield, Ill.  
 International Time Recording Co., Binghamton, N. Y.  
 Kaester & Co., Chicago.  
 Krebs Bros., Salem, Ore.  
 Keystone Chem. Co., Kansas City, Mo.  
 Kimball-Fowler Cereal Co., Kansas City, Mo.  
 Louisiana Cooperage Co., New Orleans, La.  
 Lillienthal Bros., New York.  
 Link Belt Co., Philadelphia.  
 Lakeside Rice Milling Co., Lakeside, Tex.  
 Lane Rice Mills, Lane City, Tex.  
 Markham Rice Milling Co., Markham, Tex.  
 Mack Bros. Motor Co., Allentown, Pa.



Meek & Co., Coshocton, Ohio.  
National Aniline & Chem. Co., Kansas City, Mo.  
New York Specialty Co., New York.  
Northwestern Lithographing Co., Milwaukee.  
Orange Rice Mills Co., Orange, Tex.  
Port Arthur Rice Milling Co., Port Arthur, Tex.  
C. T. Patterson Co., Ltd., New Orleans, La.  
Chas. Passon & Sons, Chicago.  
Pfaudler & Co., Rochester, N. Y.  
Peden & Co., Houston, Tex.  
Rhodes Imp. Metallic Packing Co., New York.  
Rochester Valve Co., Rochester, N. Y.  
Sims Co., Cleveland, Ohio.  
Standard Asphalt Co., St. Louis.  
Sanders Engraving Co., St. Louis.  
W. B. Schaeffers Sons Co., Cincinnati, Ohio.  
The Tuchfarber Co., Cincinnati, Ohio.  
Texas & Pacific Coal Co., Thurber, Tex.  
Union Fibre Co., Milwaukee, Wis.  
Western Electric Co., St. Louis, Mo.

(T-1136-1140.)

Letter Houston Ice and Brewing Co. to Dallas Brewery (6-24-08):

"The United States Brewers' Association have made a call assessment of one per cent per barrel on sales ending April 1st, 1908.

"We wrote Mr. Adoue to remark that this is no time to pay out this assessment, and we have his reply, reading as follows:

"I advise you write all the Texas breweries to join you in a petition to the U. S. B. Association, not only that the assessment be spent in Texas, but that more money be supplied for Texas."

"In accord with this suggestion, we will write to the U. S. B. Association at New York, and suggest that each of you write along same lines.

"I am writing to all Texas members of our association a letter identical to this." (D-791.)

Letter San Antonio Brewing Association to Houston Ice and Brewing Company (6-25-08):

"We have your esteemed favor of the 24th inst., and appreciate the kind suggestion. We will act on the same at once, and are writing to the United States Brewers' Association today, and assuredly hope that our combined efforts will bear fruit." (S-4554.)

In accordance with the two letters last above, the following was sent Hugh F. Fox, secretary, United States Brewers' Association, New York, by San Antonio Brewing Association (6-25-08):

"Referring to your circular letter of the 16th inst., in regard to an additional assessment of one (1) cent per barrel, would respectfully advise, and perhaps you are aware, that we are now in the midst

of a very bitter State prohibition fight, and will need every possible cent that we can get together to defeat the fanatical element of this State at the coming primary election to be held on the 25th pros.

"In view of the financial situation, and the fact that the burden of this fight will fall on the Texas brewers, and also that the expenses will be simply enormous, we would respectfully suggest and hereby petition the association that the amount of this assessment be spent in this State, and not that alone, that we be helped out with further financial aid in the struggle, as it will be required. Prompt action should be had on this request, for the urgent need of funds is imperative. While we have hopes of winning the fight, it will require continued and very hard work, and a great deal of money will be required for legitimate campaign expenses, so we hope that aid will be forthcoming, for we are sure that all of the members of the association will appreciate our position, also what the result would be in the possible event that the State of Texas should go dry." (S-4551.)

And the following was sent to Fox by the American Brewers' Association (6-25-08):

"In reply to yours of the 29th asking for remittance covering special assessment made, we beg to state that conditions in Texas are probably different to that of any other State in the Union, for the reason that the Texas Brewers' Association have been assessing themselves very heavily in fighting the prohibition movement, in the State, and as we have a State-wide proposition before us to fight, it will take all of our available funds to meet the necessary expense required between now and the election that is to come off on the 25th of July. We would, therefore, request that not only the Texas breweries be exempt from forwarding the money to you on this call, but to use same for their State needs, and besides that, would suggest that we ought to have some support from the United States Brewers' Association to assist in the work we have before us." (A-2334.)

Letter S. T. Morgan, Dallas Brewery, to R. L. Autrey, Houston Ice and Brewing Co. (6-29-08—excerpt):

"I have your favor enclosing petition addressed to the United States Brewers' Association, and have signed and forwarded it to the Texas Brewing Company, Fort Worth, with the request that they sign and mail it to Mr. Wahrmond, with the request that he secure the signature of the Lone Star Brewing Company and mail same to Mr. Adous. \* \* \*" (D-808.)

To the request above mentioned, the United States Brewers' Association replied (7-6-08) as follows:

"I have your recent letter in regard to the matter of assessment, and have received similar letters from the San Antonio Brewing Association, American Brewing Association, Texas Brewing Company and the Galveston Brewing Company. I am directed to say that we fully appreciate the excellent work which has been done by the Texas brewers

in fighting their own battles in the pace, and have no doubt that the action which you have taken has been of material interest to the cause in other States. It has been reported to us that the Texas brewers have assessed themselves from 10 to 20 cents per barrel, which comprises the assessment of this association, is very small, and yet I think it has resulted in considerable benefit to you.

"The defeat of the seventy-nine (79) bills in Congress during the past session is, in a great measure, due to our efforts; and the recent victories in Georgia, Tennessee and Florida should be credited in part, at least, to the work of this association. This work must be continued on a larger scale than ever, and we ourselves are facing this crisis with an absolutely empty treasury.

"The larger part of our dues for the current year have already been expended, and demands for organization, education, literature, etc., etc., are incessant.

"Our by-laws provide that the trustees shall not appropriate any money for local or State interests without being authorized to do so by a two-thirds vote of the members present and voting at a convention.

"It is a matter of regret that none of your members were present at the Milwaukee convention, when you might have presented your request, and at the same time would have informed yourselves as to the value of the work which this association is doing and the need of its further development.

"The by-laws provide that whenever any local association has rendered direct and valuable services in the interest of the association, the association, at its regular convention, may upon application indemnify such local association for expenses incurred to a certain extent.

"I find in going over our books that the seven Texas breweries have a very good record. None of them are in arrears for dues or assessments for 1905, 1906 or 1907, but there are four who have not yet paid their dues for 1908.

"Under these circumstances, and in view of your own heroic efforts on your own behalf, you have certainly earned the right to special consideration, and the president directs me to say that the matter will be considered at the next meeting of our board of trustees, which, however, will not be held until October. In the meantime, I venture to submit that the proper and prudent course for you to pursue is to pay the present assessment now without a question, instead of attempting to take conditions before payment." (S-4608.)

Letter B. Adoue, Texas Brewers' Association, to S. T. Morgan, Dallas Brewery (7-14-08):

"Mr. Hugh F. Fox telegraphed the U. S. Brewers' Association will contribute \$10,000 to our campaign fund and asks remittance for the one cent assessment. I advise that you mail check immediately.' (D-825.)

Letter San Antonio Brewing Association to B. Adoue, Texas Brewers' Association (7-15-08—excerpt):

"\* \* \* I am truly glad to note that the United States Brewers'



Association has made contribution referred to, and will mail them our check today to cover our annual dues." (S-4658.)

The following is a quotation from a letter written by San Antonio Brewing Association to Jake Wolters, Houston, Texas (6-17-08):

"It will be absolutely impossible for the brewers alone to raise the necessary campaign fund, and it will be necessary for us to seek the aid of the saloonkeepers and their friends and our friends as well as all of the liquor dealers that are established and doing business in Texas to contribute all that they possibly can. I think that you are the proper party to reach those people, and I beg to hand you herewith a list of names which was handed me by Mr. Silva Heimann. It is not as complete, perhaps, as lists which you have, still he requested me to send it to you, and I am complying with the request. Whatever you may do will be greatly appreciated by." (S-4488.)

The following is a letter written by Silva Heimann to Colonel Otto Wahrmond (6-18-08):

"I arrived in Cincinnati the other day, and I will try and get through with my business and be with you about July 8th or sooner, and I will have nothing to do in San Antonio but to get into the political game, as the night of the election I expect to leave for Cincinnati again to finish up my business here, and if there is anything that I can do for you, please call on me.

"In regard to the campaign money, I have called a meeting of the board of directors for the first of July, and we will settle the amount which we will give. Is the money to be sent to Andres Coy or to some one else? I understand that he is going to be the treasurer of the campaign." (S-4491.)

The following is a reply to the above (6-24-08):

"Yours of the 18th inst. was duly received and appreciated, but reply delayed due to my absence from the city, which pray excuse.

"I feel that it is really not necessary for me to impress on any one, and you especially, the bitter fight which we have on hand, and that we need money for legitimate campaign expenses every one knows, and I feel, in view of the situation, that your people and all others interested should do all that they possibly can.

"Do not forget one thing, friend Heimann, and that is if we win now, this question will be settled for the next twenty years to come.

"All money contributed or collected in this district should be forwarded as soon as possible to Major George W. Littlefield, chairman of the Anti-Prohibition League, Austin, Texas. The Major is president of the Austin National Bank of that city." (S-4537.)

The following is a quotation from a letter written by S. Heimann to Otto Wahrmond, San Antonio Brewing Association (6-27-08):

"Your letter received, and we will hold a meeting of the board of directors on the first of July and I will bring the matter up in regard

to donation to the State campaign fund and also for our local campaign, and I will see you on the 8th or 9th or ring you up and tell you just exactly what I have done. We are closing up our business year, and as soon as it is over with I shall start for the South." (S-4563.)

The following is a letter written to Mr. Carl Kirchner at El Paso by San Antonio Brewing Association (6-19-08):

"You realize, of course, that the fight is on, and we have got to make a quick and an aggressive campaign, which means a great deal of money, and in this connection beg to state that the brewers alone cannot take care of the fight from financial standpoint. Will have to solicit the aid and active support both personally and financially of all of our friends and those who love liberty. The opposition has, I might say, unlimited means at their command, and will turn both heaven and earth in an effort to defeat us, and will use not alone funds, but will command the services of any number of preachers, speakers, the press, circulars, in fact, they will use every possible effort to mold and secure public sentiment in their behalf.

"For your better information, I enclose herewith excerpt from a letter which I have this day written to Mr. Autrey of the Houston Ice and Brewing Co., and will state that it is our desire to get together all the money that we possibly can, and will appreciate your active aid and co-operation in this respect, as far as it pertains to the city of El Paso and vicinity, the money so raised to be used for legitimate campaign expenses. I fancy that our friends there will not object to contribute liberally to help out the good cause, especially so when it is considered, as I stated in my letter to Mr. Autrey, that this is the first time that we have asked their aid, financially speaking, since the fight of 1887, and they have not been asked to contribute for any purpose outside of their local affairs.

"I would appreciate it if you would at once get together with all the local agents or wholesale dealers in El Paso, as well as the saloon men, and all act in harmony and do their very best that you can, advising me. The time is very short, so please do not wait, but get to work at once, for we must know how much money we may expect with which to conduct the campaign." (S-4497.)

To the above Kirchner, El Paso, replied (6-21-08) as follows:

"I have your letter of June 19th, with enclosure as stated, and will at once see what can be done, though our local organization is all mixed up in local politics, and are themselves trying to collect funds to carry on the local fight. I have all along tried to keep the saloon out of politics and make the one big fight on the common enemy, prohibition, but quite a number of our friends, local saloon men, are aiding a local ticket in opposition to the officers now in office, and who I claim are our friends. The main soreness is on account of our city and county officers not letting the saloons open here on Sunday. After the delegation from here visited Galveston and various other



Texas cities and found they were all doing business on Sunday and after 12 o'clock it was impossible to hold them in line any longer, as they claimed of all the cities in Texas that need Sunday opening it was El Paso, on account of being on the banks of the Rio Grande and a large amount of money going to Juarez every Sunday, but in the face of all this I still plead for harmony and to keep out of local politics, as I believed then and do now believe that if the saloon men had kept still we would only have had one ticket in the field here. However, I don't think our local fight will affect the vote on prohibition, in fact, I think it will help our cause here locally, but it will make it hard to get contributions to carry on the State fight. I have given this matter a great deal of study and had about decided to let El Paso carry on its own fight against prohibition and we are sure to get a large vote but most of the work is being done on the quiet as they are making the local fight the main issue. As said before I will start out tomorrow and see what can be done, but would like for you to consider very seriously what I have said about local conditions and advise accordingly. I will head a list with \$200. Please let me hear from you at your earliest convenience. (S-4520.)

The following is an excerpt from a letter (6-24-08) written by San Antonio Brewing Association to Carl Kirchner:

"I note and appreciate your efforts in regard to collections, stated purpose, and hope that you and the rest of our friends there will do all in their power, and forward the funds as accumulated to Major George W. Littlefield, treasurer of the Anti-Prohibition League of Texas, Austin, Texas." (S-4538.)

The following is a letter from B. Adoue to J. E. Weeden (4-21-08):

"I acknowledge with thanks the receipt of your check for \$1,000 for account B. Adoue & Co." (TT-72.)

The following is an excerpt from a letter written by San Antonio Brewing Association to G. H. Luedde, Waco (6-19-08):

"I beg to advise that your letter of the 17th inst. reached me yesterday while in session at meeting of our committee, and it was at once discussed, and unanimously agreed that the way you propose to handle matters would not do at all, and I fully agree with them in this.

"This matter must be handled by the respective organizations, and the very first thing that Judge Scott should do is to get in touch, if possible, with both headquarters, but especially with Mr. Wortham's department.

"One important thing that we discussed at Galveston, also at our meeting yesterday, is the question of finances, and the first thing of all to be done is to get all the funds together that we possibly can, getting our friends that are directly interested especially to solicit and subscribe all the money that they possibly can, which should be forwarded to the respective headquarters." (S-4501.)

The following is a quotation from a letter (6-20-08) written by



G. H. Luedde to Otto Wahrmund, San Antonio Brewing Association:

"I notice what you state about finances and I will take this matter up in this county in good shape. I will see that every saloon man in the county contributes more or less. We will also appoint a finance committee to make a canvass among the citizens. This will be done at our organization next Monday.

"We expect to have a meeting tomorrow morning of Judge Scott, Mr. Stribling, Mr. Seley (the president of the Commercial Club), and two or three other interested parties about matters in general pertaining to this primary election. I am confident we will be able to work up considerable interest in Waco, and in the right way." (S-4504.)

The following was sent by San Antonio Brewing Association to all its dealers (6-24-08):

"No doubt you have by now received letter from Hon. John G. Willacy, chairman of the Anti-Prohibition League, Austin, Texas, a request for financial aid.

"We will appreciate it if you will please act on the same quickly and do all that you possibly can for the good of the cause." (S-4534.)

The following is a letter written by B. Adoue of Galveston to Otto Koehler, San Antonio (6-22-08):

"Your letter of yesterday received; the idea of the retail liquor dealers asking \$5,000 contribution from Schlitz and Pabst and \$2,500 from Miller is good; they should really pay heavier amounts. Last Friday night at Houston we formulated a plan to obtain subscriptions from all dealers and manufacturers selling to Texas breweries. Mr. Autrey promised to set the motion. No doubt you have received his letter. My impression is that through Mr. S. T. Morgan the wholesale liquor dealers have contributed \$5,000 to the fighting fiend. Mr. Wahrmund can give you exact figures. Yours truly, B. ADOUE.

"P. S.—I have notified Mr. Busch he is expected to pay his share of the \$40,000 emergency call." (S-4530.)

The following is an excerpt from a letter written by San Antonio Brewing Association to Mr. B. Adoue (6-23-08):

"I wished to know, and again ask, if you can consistently let me know the amount that was subscribed by Schlitz, Pabst and the Miller Brewing Co., so that I may be in a position to advise the committee accordingly, for they may come back and state that they subscribed so and so which was done and without my knowledge.

"I am glad to note that you took the matter up with Busch, but I doubt that you will be able to do anything with him, for if you should happen to hear Clauss talk you would think that they were starving. I hope, though, that I may be mistaken as to this.

"I have called a meeting for tomorrow morning at 11 o'clock to inaugurate our collection campaign, and I hope that we may succeed in interesting the people as I have reason to believe we will." (S-4531.)

The following is a letter written by San Antonio Brewing Association to Major George W. Littlefield (6-24-08):

"I beg to acknowledge receipt of your esteemed favor of the 22nd inst., and I note particularly all that you say.

"It is my intention, if I can possibly arrange to spare the necessary time, to go over to Austin tomorrow afternoon and have a talk with you and Senator Willacy about our affairs in general, especially in regard to the financial end of it.

"No doubt the pros have a great deal of money, and if our friends, the friends of personal liberty, as well as the business interests, will all contribute as they should, we should have no trouble in raising all the money that may be necessary for legitimate campaign expenses.

"We have our friends at work here, at Galveston, Houston, who will collect all they possibly can; no doubt also at Austin, and in fact at all of the larger and smaller places throughout the State, and from what I can hear, no doubt our financial affairs will be in pretty good shape.

"In regard to the brewery, beg to state that we have always been ready, and now stand ready to do all that we possibly can, but I feel that it should not be expected or can we do it all, and replying to your further inquiry, beg to state that we will be responsible for the overdrafts which I hereby guarantee.

"From all indications, everything looks pretty good, and I am sure with a pull altogether no doubt the result will be in our favor." (S-4544.)

The following is a letter written (6-25-08) by Carl Kirchner to Houston Ice and Brewing Co.:

"I have your circular letter of June 23rd, and enclose herewith a small list of our prominent citizens who are against prohibition. I will send more from time to time. There is practically no agitation on the question here now; the local politics are badly mixed up. I have had several letters from Mr. Wahrmund on the subject and am now waiting to hear from him. I think it unwise to let the liquor interests have much to do with the collection of money or the handling of the prohibition question here, as they will, most of them, be handicapped on account of the local political fight. If a local anti-prohibition chairman was appointed (a prominent man) and get a good man outside of the liquor interests considerable money might be raised here. I need advice and information, and don't be afraid of piling too much work on me. I am with you and will do all I can, though I want to get started off right." (S-4549.)

The following is a letter written by B. Adoue to Texas Brewing Association (6-25-08):

"Here I am again, an applicant for another M. Please send me check. The board of managers has demanded an emergency fund of \$40,000 and Hamilton, Wahrmund and myself have guaranteed to secure

contributions. How much do you believe can be raised in your city?" (TT-72.)

The following is an excerpt from a letter written by San Antonio Brewing Association to B. Adoue (6-27-08):

"I also beg to enclose you copy of a letter which I dictated at the request of, and which will be written by the president of the Texas Liquor Dealers' Association to the Pabst Brewing Company, Schlitz and Miller Bros.

"They had a meeting yesterday, and I had a man there to represent us whom I fully posted. He is an able speaker, has a great deal of weight and influence, and is also a member of the Liquor Dealers' Association, and I understand that he made quite a 'hit' in his speech, and as they did not know that this emanated from us, it made a very favorable impression on every one present with the result that all of his suggestions were adopted.

"Our next step will be, in case that they do not respond to this request freely and liberally, to pass the word not to sell their beer. I shall keep in touch with the correspondence on the subject until I see that they either put up or place themselves on record as to their intentions.

"I opened a letter from Mr. John L. Wortham this morning which was addressed to Mr. Wahrmond, and in which he states that they are getting very good results, their reports for the last few days especially being particularly favorable, and that as the result of certain negotiations in sections which hitherto had been looked upon as lost to us, that as a result of these negotiations referred to they would give us a majority, which, of course, is very encouraging. This has reference especially to East Texas." (S-4567.)

The following is a letter from J. E. Weeden to B. Adoue:

"I note that the board of managers has demanded an emergency fund of \$40,000 and that Houston, San Antonio and yourself have endorsed it. I am quite uncertain as to what could be raised in this city.

"Last week an excursion to Galveston was chaperoned by Mr. Paul Waples. He had a letter from me to you; was it presented?" (T-1074.)

The following is a letter written by B. Adoue to J. E. Weeden, Texas Brewing Company (7-1-08):

"We hereby acknowledge receipt of your check, \$1,000. Yours truly,

B. ADOUE & CO., Per P. A.

"P. S.—With regard to the emergency fund of \$40,000 demanded by Ed I have endorsed it, but to raise the money, that is the question. I met Mr. Waples on his visit to Galveston, but he presented no letter from you." (TT-71.)

The following is a letter from Otto Wahrmond to B. Adoue:

"I beg to hand you herewith draft for the sum of \$250, which



amount has been donated to our cause by the **Edgewood Distilling Co., through its president, Mr. Silva Heimann.**

"Returning herewith letter of Mr. Paget, beg to state that that particular district has given us a great deal of worry. The last report which we have, however, from some of our people who were up there is to the effect that O'Beirne would withdraw, and if that is so, we have **good** chance to elect our man.

"Your letter of the 9th inst. to Mr. Koehler is noted, and he will discuss the subject matter thereof with you in person on Sunday morning next either in Houston or Galveston, as may best suit your pleasure, which I kindly ask that you indicate by wire tomorrow morning."

The following is a letter from B. Adoue to J. E. Weeden, Texas Brewing Company (7-15-08):

"Please send me your check for \$1,000 to cover assessment for month of June, 1908, and oblige yours truly, B. ADOUE,  
"Per P. A." (TT-71.)

The following is a letter from San Antonio Brewing Association to Major George W. Littlefield (7-14-08):

"I beg to hand you herewith check for the sum of \$500 which has been handed me for transmission to you, the same representing an amount subscribed for the good of the cause by various persons in San Antonio." (S-4662.)

The following is a letter from San Antonio Brewing Association to B. Adoue (7-17-08):

"I beg to hand you herewith copy of letter just to hand from the Milwaukee Beer Company of Milwaukee, which is self-explanatory. I am going to see Mr. Koehler this afternoon, and will ask him in regard to the amount, if anything, which they subscribed to our campaign, but as it is possible that he may not have been informed as to this, will thank you to wire me the information tomorrow." (S 4676.)

The following is a letter from San Antonio Brewing Association to Major George W. Littlefield (7-18-08):

"I am in receipt of your favor of the 17th inst., and note contents. It will not last much longer, and I hope that we can arrange it so in the meantime that there will not be any more overdraft." (S-4682.)

The following is a letter from San Antonio Brewing Association to Major George W. Littlefield (7-20-08):

"I beg to hand you herewith check for the sum of \$2,000, the same representing amount handed me for transmission to you, the same having been collected in different portions of the State of Texas." (S-4693.)

The following is an excerpt from a letter (7-22-08) written by Milwaukee Beer Company to Otto Wahrmund, San Antonio Brewing Association:

"However, Mr. Clauss of the Anheuser-Busch Brewing Association has addressed our president, Mr. Gustav Pabst, on the subject, who has responded a few days ago by sending his personal check for \$1,000." (S-4706.)

The following is a letter written by J. E. Weeden, Texas Brewing Company, to B. Adoue (10-29-08):

"Enclosed please find check, \$500." (TT-83.)

The following is a letter written by B. Adoue to J. E. Weeden (10-30-08):

"Your letter of yesterday received with check, \$500. Thanks. What impression did you carry from the Dallas meeting? I have been asked by Mr. Vahlkamp to make him a report and so far I have not been able to comply with the request. Can you help me? What did we do? Your answer will be appreciated." (TT-71).

The following is a letter from R. L. Autrey, Houston Ice and Brewing Company, to B. Adoue (11-27-08):

"In other and previous correspondence I have shown you the necessity of supporting the Anti-Prohibition League, of which Mr. J. F. Wolters is chairman. Now, I desire to submit my plan for raising funds. There may be several sources out of which funds can be raised, but we can only concern ourselves with the liquor traffic, and it is reasonable upon the part of Mr. Wolters and his followers to expect us to raise the bulk of the money needed.

"The seven Texas breweries, Anheuser-Busch, Wm. H. Lemp, Pabst and Schlitz must meet and invite the wholesale liquor dealers of Texas, and also the shippers of liquor into Texas (such as Grabfolder, Brown-Forman, Edwin Scheels, Shaughnessey, Kentucky Distilling Co., I. Trager, Ferdinand Westheimer & Sons, Bonnie Bros., E. S. Bonnie & Co., Fraiberg & Kahn and other whiskey houses of prominence doing business in Texas) to meet with us and assist in devising means to raise funds.

"I believe that any complicated plan is worth nothing, and that a simple one that can be carried out is an easily feasible proposition and all that is needed is the co-operation of the parties herein named to insure its success.

"I figure that an addition of 10 cents per quarter barrel to the price of draught beer sold in the cities will bring \$125,000; an addition of 25 cents to the price of barrel bottle beer shipped into Texas will bring \$27,500. The wholesale liquor dealers of Texas, by adding 2 cents to the price of a gallon of whiskey can raise \$25,000, and the whiskey houses shipping into Texas by adding 2 cents per gallon to

their price will raise \$75,000. Altogether it will make an approximate revenue of \$253,500 for one year.

"I know that the raising of the tax on keg and bottle beer is practical, if we can only get the co-operation of the parties named, and I think that the tax on the whiskey is also feasible, provided the collection is made before the liquor reaches the State line.

"I suggest that we appoint December 10th as the day to meet at St. Louis, and invite all the parties I have named to attend the conference." (S-5079.)

The following is an excerpt from a letter written by San Antonio Brewing Association to J. F. Wolters (12-4-08):

"I beg to advise having had a long conversation this morning with Mr. Silva Heimann, president of the Edgewood Distilling Company, who is ready and willing to help us secure funds, and kindly requests that you write him a letter which he can use to solicit funds, especially from the outside interested parties." (S-5093.)

The following is an excerpt from a letter written by S. T. Morgan to Otto Koehler, San Antonio Brewing Association (12-5-08):

"Your favor of the 2nd inst. to hand and contents noted. When Mr. Wahrmond returns from Houston I think it would be a good idea for you to write me relative to the meeting, and so word your letter that I can show it to Mr. Eppstein. I think a letter of this kind from you will go a long ways towards getting our wholesale liquor friends in a working spirit and encourage them to do their part IN A FINANCIAL WAY in the fight that is before us." (D-894.)

The following is a letter written (12-8-08) by R. L. Autrey to all the Texas breweries and Falstaff Mercantile Company, Milwaukee Beer Company, August A. Busch & Co.:

"The enclosed is a draft of a letter being sent out by the finance committee of the Harris County Anti-Prohibition League and is addressed to all the leading liquor dealers of Houston. No time is being wasted on the drones. Will each of you undertake to put this letter before the respective local associations of the cities where you are interested, with the view to considering whether it would be advisable to send such a letter out, and let it be your task to supply the names of the persons to whom this letter must be addressed." (D-890.)

The draft of the letter mentioned in the last above reads thus (12-8-08):

"The organization launched at Houston on October 12th by the convention of anti-prohibitionists assembled at Turner Hall and of which Mr. J. F. Wolters is the head, must have funds to perform the vast task in its hands.

"If you read at all, you must know that the Anti-Saloon League of which Sterling P. Strong is superintendent, he being, at the same



time, chairman of the State-wide Prohibition Association, has a number of paid agents in the field—men and women. We are informed that at this time these paid agents number sixteen, and more added to their forces.

"The prohibitionists are supplied with enormous quantities of money, and by their schemes of clothing their political moves under the mantle of religion, they raise money in the churches as they go. It devolves upon those interested in the liquor business in the State of Texas to protect their interests and substantially support the anti-prohibition organization headed by Mr. Wolters, because his helpers engaged in the organization of the anti forces are not like the prohibitionists, in a position to raise the money as they go, from their audiences and proselytes.

"A great many liquor dealers are drones, whose cry is that the other fellow does not put up and they are not going to put up, and with this class we are not going to waste any time. We are addressing ourselves to enlightened men only, who expect the support of the liberal element of society to be cast on the anti-prohibition side, and who, themselves, are willing to show their liberality by their financial support and their personal effort of and for the anti-prohibition organization. You are one of the men considered to be in this high class of citizenship in the liquor traffic, and you are advised that you are expected to subscribe the sum of \$—— per month, to be paid on the first day of each month, as religiously as your rent, because it is even very much more important than the support of the very roof over your head. Very truly yours (no signature)."

A suitable blank addressed to J. F. Wolters is to accompany this for the saloon man to make his reply. (D-891.)

1909.

The ledgers of the San Antonio Brewing Association for 1909 show the total payment to the Texas Brewers' Association of \$36,450 (see Wahrmond's testimony, page 3).

The ledgers of the Houston Ice and Brewing Company show a payment of \$16,724, and, in addition to the above, the book of said company called "Cash Disbursements" show the following miscellaneous payments:

Date—1909:

Jan. 15—Account R. L. Autrey draft C. C. Highsmith.....	\$ 100.00
Jan. 18—Account general expense Autrey to Austin.....	100.00
Jan. 22—Account R. L. Autrey Austin draft (1-22).....	500.00
Jan. 23—Account V. V. Daniels (amount expressed to him at Austin) . . . . .	75.25
Jan. 26—Account general expenses Anti-Prohibition League..	20.00
Jan. 29—Account "R. L. A. Special G. S. King" Nacogdoches..	100.00
Feb. 9—Account T. H. McGregor salary Jan. and Feb.....	250.00
Feb. 11—Account general expense, subs. entertaining Legislatures . . . . .	100.00
Feb. 12—Account H. Hamilton, T. H. McGregor draft, Austin.	225.00

Feb. 13—Account J. B. Bisland, Austin draft (2-12) .....	60.00
Feb. 22—Account J. B. Bisland, Austin draft (2-18) .....	30.00
Feb. 23—Account traveling expenses Autrey to Austin .....	50.00
Feb. 28—Account H. Hamilton, Jules Hirsch (political fund) ..	100.00
Mar. 2—Account H. Hamilton, J. Bonner (Austin Harpoon) ..	100.00
Mar. 12—Account prohibition expense, O. Paget for Kingsville . . . . .	100.00
Mar. 16—Account general expense George S. King .....	15.00
Mar. 16—Account R. L. Autrey, John A. Hulen draft (3-15) ..	15.00
Apr. 12—Account J. F. Wolters, loan on notes .....	18,000.00
May 4—Account R. L. Autrey, self .....	500.00
May 5—Account H. Hamilton, Otto Koehler, wager .....	500.00
May 10—Account prohibition expense W. C. Reinhard .....	87.50
May 17—Account J. B. Bisland, money advanced by O. Koehler	70.00
May 17—Account traveling expenses Autrey to Tyler .....	50.00
May 18—Account R. L. Autrey, general, E. B. Wiggins, chairman, Tyler . . . . .	500.00
May 22—Account general expense T. H. McGregor, expense to San Antonio . . . . .	50.00
May 24—Account prohibition expense W. L. Hall, account Wharton County campaign . . . . .	250.00
May 24—Account (account erased) deposit with Adoue & Lobit	6,000.00
May 27—Account R. L. Autrey, draft W. L. Radney, Comanche	100.00
May 28—Account R. L. Autrey, general, F. J. Richardson expenses to Wharton . . . . .	10.00
May 28—Account R. L. Autrey, general, J. B. Rayner .....	20.00
May 28—Account H. Hamilton, self, expense to Wharton .....	10.00
May 29—Account R. L. Autrey, special, Tilden L. Childs, chairman, Teague . . . . .	250.00
June 10—Account H. Hamilton, W. L. Hall account Wharton.	150.00
July 6—Account R. L. Autrey, special, W. L. Radney, Waco...	100.00
July 23—H. Hamilton, Judge Blackmon, account Limestone County fight . . . . .	250.00
Aug. 1—Account R. L. Autrey, general, draft A. M. Blackmon.	1,000.00
Aug. 12—Account R. L. Autrey, general, B. Adoue .....	25,000.00
Aug. 17—Account R. L. Autrey, special, B. Adoue .....	1,903.00
Aug. 18—Account R. L. Autrey, F. M. Stevens, Liberty .....	750.00
Aug. 21—H. Hamilton, H. Prince .....	250.00
Sept. 3—Account R. L. Autrey, gen., N. P. Klawgard, Liberty.	70.00
Sept. 3—Account R. L. Autrey, general, F. M. Stevens .....	180.00
Sept. 11—Account Burger & Robertson, Wharton draft (9-7) .	1,000.00
Sept. 11—Account R. L. Autrey, special, B. Adoue .....	2,500.00
Sept. 13—Account R. L. Autrey, general, C. C. Highsmith draft, Center . . . . .	300.00
Sept. 27—Account F. M. Stevens, Liberty, loan on 90-day note	350.00
Nov. 1—Account R. L. Autrey, general, self .....	900.00
Nov. 12—Account A. S. Crisp, Cuero .....	100.00
Dec. 31—Account H. Hamilton, deposit with Adoue & Lobit ..	2,500.00

(HH-32, 33, 34.)

The barrelage of the Lone Star Brewing Company for 1909 was \_\_\_\_\_ barrels (see Bruhn's testimony, page —).

The barrelage of the American Brewing Association for 1909 was \_\_\_\_\_ barrels.

The barrelage of the Texas Brewing Company was \_\_\_\_\_ barrels for 1909.

The barrelage of the Dallas Brewery for the year 1909 was \_\_\_\_\_ barrels.

The barrelage of the Galveston Brewing Company for 1909 was \_\_\_\_\_ barrels.

Extract from letter of the Galveston Brewing Company (4-15-09) to J. E. Weeden of the Texas Brewing Company:

"Yours of the 14th received here this morning on my arrival, and I take pleasure in enclosing you herewith my check, No. 3145, on the German Savings Institution of St. Louis, for seventy-two hundred and fifty dollars (\$7,250)." (TT-75.)

(The seventy-two hundred and fifty dollars mentioned in the last above was Texas Brewers' Association funds.)

On July 23, 1909, B. Adoue writes Zane Cetti of Fort Worth as follows:

"Your letter of yesterday received. Your figures are no doubt strictly correct, and your arguments sound as usual, but so far the barrel sales have been the basis and I cannot assume the authority of making a change from sales to profit basis. That point will have to be settled at the next meeting of the association. Meantime the bank account is carmine colored. You will oblige me by sending check \$4,897. No doubt that Mr. Weeden informed you that I supplied funds to cover about half of the total amount of expenses incurred since January 1 last, and the Texas breweries pay only the other half." (TT-68.)

On November 3, 1909, B. Adoue, Galveston, again writes Mr. Cetti as follows:

"Your letter of the 27th ult. duly received. Illness and death in my partner's family have prevented me from leaving the city, and may keep me here some time to come. His son was buried this morning and his wife is expected to die at any moment, and as one of us must remain in the office, my prospects for going to Fort Worth are not bright. On the other hand, I yet believe that the only way to harmonize is for you to plead your case in the meeting of the association. There are neither secrets nor complications in the situation that I can see. All the members know that your excuse for not meeting the monthly assessments is heavy expenses for local protection and consequent small dividends for the stockholders during the past two years, which they do not consider valid. The members point out the Galveston brewery paying only 6 per cent dividend for 1907 and 1908 and will pay about the same this year. That brewery has never sold a keg of beer outside of the city—sells only about 25,000 barrels per



annum, and yet pays the regular assessment. Dallas brewery occupied the same strategic position as Fort Worth and is making the regular contribution. Your reasons may be good and for that consideration I believe that your argument should be made in the meeting." (TT-68.)

1910.

The ledgers of the San Antonio Brewing Association show payments to the Texas Brewers' Association aggregating \$48,900 (see Wahrmond's testimony, page 3).

The barrelage of the Lone Star Brewing Company for the year 1910 was 92,442 barrels, which, on the same basis as paid by the San Antonio Brewing Association, would produce \$23,110.

The barrelage of the Dallas Brewery, 1910, was \_\_\_\_\_ barrels.

The barrelage of the Galveston Brewing Company for the year 1910 was \_\_\_\_\_ barrels.

The barrelage of the Texas Brewing Company was \_\_\_\_\_ barrels for 1910.

The barrelage of the American Brewing Association for 1910 was \_\_\_\_\_ barrels.

The barrelage of the Houston Ice and Brewing Company, 1910, was \_\_\_\_\_ barrels.

The following miscellaneous payments by the Houston Ice and Brewing Company appear on its book called "Cash Disbursements for 1910":

—Date—1910:

Jan. 21—Account traveling expenses Autrey and Wortham to Dallas . . . . .	\$ 30.00
Feb. 4—Account legal expense S. A. B. A., account T. H. McGregor . . . . .	30.00
Feb. 7—Account R. L. Autrey, general, A. G. Ricks, chairman, New Orleans assessment on 1,568 barrels, 1909. . . . .	31.36
Feb. 12—Account R. L. Autrey, general, to George P. Stanford, Denison . . . . .	600.00
July 6—Account H. Hamilton to L. H. Bailey. . . . .	250.00
July 13—Account R. L. Autrey, general, to B. Adoue. . . . .	2,500.00
July 22—Account G. M. Bailey, loan. . . . .	250.00
Feb. 25—Account Tilden Childs, R. L. Autrey. . . . .	634.50
July 23—Account R. L. Autrey, general, to James P. Walsh. . . . .	300.00
Mar. 3—Account R. L. Autrey, general, Eugene Graham, collecting 829 poll tax receipts . . . . .	155.80
July 31—Account legal expenses San Antonio Brewing Association, account T. H. McGregor. . . . .	80.00
Mar. 7—Account R. L. Autrey, general. . . . .	5,000.00
Sept. 8—Account general expense J. W. McQueen, Amarillo, account local . . . . .	.....
Mar. 12—Account general expense, Judge Green to Yoakum. . . . .	15.00
Mar. 24—Account general expense, J. A. Arnold, secretary Commercial Secretaries' Association . . . . .	100.00
Apr. 6—Account general expense, U. S. B. Assn. . . . .	1,050.00

1910

Apr. 11—Account H. Hamilton to A. Hauxthausen.....	50.00
May 2—Account H. Hamilton to F. Chas. Hume.....	2,500.00
May 9—Account R. L. Autrey, B. Adoue.....	2,100.00
May 20—Account John L. Wortham, loan on 60-day note.....	12,500.00
May 26—Account Jonathan Lane, loan on demand note.....	5,000.00
June 8—Account H. Hamilton to C. C. Highsmith.....	200.00
June 30—Account drivers' comm., A. Hauxthausen.....	18.35
July 6—Account H. Hamilton to L. H. Bailey.....	250.00
July 13—Account R. L. Autrey, general, to B. Adoue.....	2,500.00
July 22—Account G. M. Bailey, loan.....	250.00
July 23—Account R. L. Autrey, general, to Jas. P. Walsh.....	300.00
July 31—Account legal expense San Antonio Brewing Association, account T. H. McGregor.....	80.00
Sept. 8—Account general expense J. W. McQueen, Amarillo, account local .....	.....
Dec. 2—Account R. L. Autrey, general, to B. Adoue.....	2,400.00
Dec. 8—Account F. M. Stevens, loan on 60-day note.....	250.00
Dec. 14—Account legal expense to Otto Wahrmond, Sept., Oct., Nov. and Dec. ....	40.00
Dec. 15—Account salary Miss Alice Bond.....	53.95
Dec. 15—Account H. Hamilton to Meek & Highsmith, loan on four-months note .....	1,000.00

(HH-36 and 35.)

R. L. Autrey of the Houston Ice and Brewing Company on March 16, 1910, wrote J. E. Weeden the following:

"I am in receipt of your letter of March 11th, enclosing Martin Casey's check dated March 9th, for the sum of \$100. This is a small contribution, but it is appreciated. I have had so far nothing from the Dallas people. Am making one last effort today to get them to come across." (TT-32.)

On March 25, 1910, B. Adoue wrote Zane Cetti of the Texas Brewing Company as follows:

"In accordance to adjustment agreed upon last Friday, you will please send me checks as follows: Two assessments made on January 12 and 29, basis of December, 1909, sales, 20 cents each; two assessments made on February 3 and 18, basis January, 1910, sales, 20 cents each; one assessment made on March 7, February sales, 20 cents each.

"Although the settlement was not in accordance with my views, I am very glad it has been made, and I hope there will be no cause for misunderstanding in the future.

"In spite of frequent calls for money, the association account today is overdrawn \$8,000 and expenses on the increase." (TT-53.)

B. Adoue on March 27, 1910, wrote Zane Cetti the following:

"Your letter 25th inst. received with check \$1,311.35 for which the treasurer of the Brewers' Association must be thankful, but frankness compels me to state that I would have preferred not to have received the check on such conditions as you specify in your letter.

Credits and debits occupy too prominent a feature. I can see but one end, and that is the association will receive no money from you during 1910, as the local defense will more than absorb the \$10,000, the amount you fix as your contribution.

"I am really not clear on that subject. What I must know, can the association depend on any 'stringless' contribution from you during 1910?

"On 1st of this month the association had an overdraft of over \$8,000, add to it current monthly expenses above \$10,000, total needed April 1st over \$18,000. How much will you contribute towards paying that sum?

"In that statement is not included the Grayson County expense, about \$9,000, disbursed by Mr. Autrey.

"Permit me to say, Mr. Cetti, that unless the members respond liberally the Texas Brewers' Association will soon cease to exist. I desire a frank expression of your views on the subject." (TT-54.)

On April 11, 1910, B. Adoue wrote Zane Cetti as follows:

"Your letter 9th inst. received with check \$1,119.60, which I filed with your previous remittance \$1,311.35. I cannot accept it before receiving answer to my last letter. I must know if you have re-entered the association; on what basis?

"Your two remittances clearly indicate that you do not intend to be governed by the action of the other members. As a proof I submit that our neighbor's contribution for the same period is more than double the amount remitted by you, and his remittances have no string to them. You will very much oblige me by defining your position clearly, as I do not want to get into an endless discussion of the subject, which is neither pleasant nor profitable." (TT-55.)

The following is an excerpt from a letter written by Otto Wahr-  
mund to Zane Cetti, April 22, 1910:

"Noting your favor of the 20th inst. and in further relation to my recent favor, beg to state that owing to extraordinary disbursements, Mr. Adoue found it necessary to levy extra assessments, which we all paid, and you should do so also. As stated in our last meeting, the expense for certain purposes was exceptionally heavy, to cover immediate requirements, but my impression is that at the end of the year it will be on basis you mention.

"I will appreciate it if you will kindly advise me as soon as possible what you decide to do for the \$5,000 that I spoke to you of was based on presumption that you would participate the same as the others. The Blanton matter needs immediate attention for, as you well know, our future depends almost wholly on question of representation. \* \* \*" (TT-52.)

On April 24, 1910, B. Adoue wrote Zane Cetti, excerpt from which follows:

"I have received your letter 22nd inst., and you are absolutely correct in stating I 'do not understand the proposition' and your letter



does not in any way enlighten me as to your intentions. For instance, Mr. Morgan has since the 1st of January contributed over \$3,400; for the same period you offer to pay \$1,311.35. As the sales must be nearly equal, how do you arrive at that amount? If you will refer to my last letter, you will see that the Grayson County expense is not included. Mr. Autrey did supply all the money, expecting to win the election (and he came within 230 votes out of nearly 10,000) and to be reimbursed by the brewers selling in the county. He lost, and should not be made to stand the entire amount, over \$8,000, **although he has not asked to be reimbursed.**" (TT-54.)

B. Adoue wrote J. E. Weeden of the Texas Brewing Company, on May 5, 1910, as follows:

"This morning's mail brought me a check \$937. No letter and I have filed it with the two previous checks, \$1,311.35 and \$1,119.60, which remain unused. The last information received from Mr. Wahrmond was that he was corresponding with Mr. Cetti to arrive at an adjustment of the controversy. You will no doubt understand that I cannot accept contributions from you on a different basis from other members. I did not understand the San Antonio settlement to reach over December 21, 1909. Mr. Wahrmond will read this letter." (TT-78.)

On June 7, 1910, B. Adoue wrote John E. Weeden as follows:

"I received your letter 6th inst. with check \$901, May contributions, and have filed it with the three previous remittances, which I hold for adjustment. Mr. Wahrmond wrote last week that he expected to have conference with Mr. Cetti last Sunday when the inequality would be adjusted." (TT-23.)

The following is a letter from R. L. Autrey, Houston Ice and Brewing Company, to B. Adoue, September 2, 1910:

"Dear Sir: Our friend has just returned from New York and Philadelphia. He met Mr. Gardner and Mr. McDermott.

"They are well pleased with Texas situation and said complimentary things about the work. They asked how much the submission fight cost and he answered \$15,580. Mr. G. remarked if this is the case we owe the Texas people one-half or say \$7,790, and not \$25,000, like Mr. Wahrmond has requested us to remit in accord with the Koehler agreements made in Chicago. Our friend asked how about the \$15,000 due Mr. Autrey and Mr. G. said: 'We will pay that in a few weeks; we will have the funds available shortly for that purpose.'

"Mr. Wahrmond must have slipped a cog somewhere and badly tangled up the situation—if the agreement was to contribute by the Philadelphia people one-half of the amount that passed through our friend's hands, then he ought to know just what he has coming and not deceive himself.

"For the future the Philadelphia people are in line to begin work January 1st and will continue with us in every phase of our work, paying one-half of the expense.

"We want to do no work in January. Don't want to begin until

three months before election, but they think we ought to begin in January.

"I am going to Amarillo tonight and I am going to keep clean saloons in mind in whatever I do in the way of business. I have talked to Paget today and he read me the letter he wrote to Anheuser-Busch—therefore, I know what my duty is in the premises." (Autrey's testimony, sec. 4, pages 479-480.)

B. Adoue on December 1, 1910, wrote Zane Cetti as follows:

"Your last remittance covered September contribution and a remittance for October and November will be appreciated." (TT-23.)

1911.

The ledger of the San Antonio Brewing Association for 1911 shows payments to the Texas Brewers' Association to be used to defeat the adoption of the Constitutional Amendment, aggregating \$111,700. (See Wahrmond's testimony, page 3.)

The ledger entries of the Houston Ice and Brewing Company show payments to the Texas Brewers' Association for the same purpose aggregating \$91,000. (See HH-37, also see Autrey's testimony.)

The payments by the Lone Star Brewing Company to the association for the same purpose aggregated \$57,717.60. (See Bruhn's testimony, page 16, etc.)

The payments by the Texas Brewing Company for the same purpose aggregated \$33,000. (See ———.)

The barrelage of the Dallas Brewery for 1911 was ——— barrels. The basis was 60 cents per barrel. Its payment, therefore, aggregated \$———.

The barrelage of the Galveston Brewery was ——— barrels. The basis was 60 cents per barrel. Its payment, therefore, aggregated \$———.

The barrelage of the American Brewing Association was ——— barrels. The basis was 60 cents per barrel. Its payment, therefore, aggregated \$———.

The book of the Houston Ice and Brewing Company called "Cash Disbursements for 1911" shows the following miscellaneous payments in addition to the \$91,000 mentioned above:

April 12—H. Hamilton, W. L. Hall draft (4-1).....	\$800.00
April 17—H. Hamilton, W. L. Hall.....	800.00
April 25—H. Hamilton, F. Chas. Hume.....	800.00
May 23—H. Hamilton, W. L. Hall draft (5-19).....	700.00
June 6—General expense, Sinkiller Griffin.....	10.00
July 7—General expense, T. H. McGregor.....	15.00
Dec. 20—R. L. Autrey, general, J. McLemore loan on one-day note .....	75.00
Dec. 22—F. M. Stevens, loan due 2-1-12.....	250.00
Dec. 30—Change Jeff McLemore .....	300.00

(HH-37.)

Letter, the Retail Liquor Dealers' Union of Harris County to  
——— (1-19-11):

"At a meeting of the Retail Liquor Dealers' Union of Harris County, Texas, it was unanimously agreed that the wholesale dealers in wines, liquors and cigars be asked to contribute one per cent of the purchases made by the retailers from the first day of January, 1910, to the 30th day of July, 1911, or until the State-wide election is decided.

"You know the amount of my purchases during the year 1910, and will expect the remittance of the percentage of that amount be sent to J. W. Hertford, cashier of the Houston National Exchange Bank of Houston, who will turn over the money to E. Clede, treasurer of the union, as a defense fund to be spent in fighting prohibition in Texas.

"It was further decided that any wholesaler who refuses to contribute to this fund need not expect further patronage from the members of this union.

"You can realize that this is strictly a business proposition. If we are voted out you lose our trade—and while we are giving our time and all, sometimes more than we can afford, to the cause, it does seem reasonable that the wholesalers should assist us in this fight to the limited extent requested.

"The first contribution we expect your check for one per cent of the sales of 1910, and a further contribution will be asked during 1911, as circumstances may develop. As soon as the election is over this contribution ceases.

"The retail dealers of Harris County unanimously agree to patronize the houses who come to their aid in this their hour of trouble—none others need expect their trade." (A-3178.)

Telegram Harry B. Hawes, St. Louis, to B. Adoue (1-22-11):

"After thorough discussion, my opinion is that the outsider will not respond as has been suggested at your meeting, but a compromise on a lower basis may be arrived at. For that purpose I suggest you and a repr. committee meet us at St. Louis, Feb. 2nd. Deem your presence with others very important, as it may be necessary for you to proceed to Milwaukee. Wire ans." (TT-69.)

Excerpt from letter from Otto Koehler, San Antonio Brewing Association, to Aug. A. Busch, St. Louis (2-1-11):

#### "FINANCES.

"From the above general outline you can see that we are entering into a very costly campaign, and I do not believe that the amount of money which can be raised outside of the brewing interests will amount to very much. The Texas brewers have assessed themselves 60 cents a barrel on 600,000 barrels, which will make a total of \$360,000. Your contributions of \$100,000 and the 30-cent assessment on Lemp, Pabst and Schlitz will add \$45,000 more to this amount, which (if paid in) will make a total of \$505,000, which ought to be enough, but I have requested Mr. Clauss to take up immediately with the wholesale liquor people the question of a contribution from them, which, on their usual



basis of one-third of the amount contributed by shipping brewers, would amount to \$50,000 more. If all of this money is paid in, IT OUGHT to be sufficient for the campaign, but when you consider that everything we do has to be paid for at a higher cost than in Missouri, and in addition most all of our speakers will have to be paid, and then take into consideration the fact that there are 247 counties in the State, each with it county chairman and precinct chairman, all requiring money, we will probably have none too much. I am, of course, going to hold down expenses as much as possible, and I will keep an itemized statement which will be furnished Mr. Adoue from time to time as money is drawn upon his treasury." (SS-88.)

Letter, Adolphus Busch, Ivy Wall, Pasadena, California, to Zane Cetti, Texas Brewing Company (2-1-11):

"I dictated this morning a letter to our good, mutual friend, Adoue, and in order not to repeat the substance of my letter, I thought it best to send you a copy of it, covering, more or less, the answer which I should dictate to you in answer to your letter of January 28th.

"I am awfully glad and happy to know that you are now heart and soul for making a noble fight to win the big victory in the coming election for State-wide prohibition. I am confident that you can do a great deal of work and that you will do it. You are perfectly right in your remark that the election is a struggle for existence. If we lose, we lose everything. We can not afford to lose. We must win out and will win out, if every one will do his full duty and start in the right way without fear or hesitation. You can count on me that I will do all and everything as an individual and as having an interest in the brewing industry of Texas and that no sacrifice will be too much to save Texas from the clutches of tyranny, idiocy, fanaticism and intolerance.

"Now, my dear Cetti, go to work and write me a letter soon with good, cheerful news, expressing your hopes that the brewing industry of Texas is safe, and that we can think seriously of making improvements and enlargements in all departments to meet the increased demand for our product." (TT-62.)

The letter (2-1-11) from Busch to Adoue referred to in the last above reads as follows:

"My Dear Adoue:

"I received your letter of the 28th instant last night, and did not like its contents at all. I thought that conditions in Texas were absolutely safe, and that there was not a shadow of doubt that we would win out with handsome majority without any extravagant campaign expense. Of course, I based my whole opinion upon Colquitt's election, thinking that the people were absolutely tired and disgusted with the entire prohibition movement and wanted a rest, being satisfied with the present local option law, but, from the contents of your letter, things don't look as happy as I concluded, and it is evident that we

will have to do big work and shy no expense whatsoever to win victory over our enemies.

"Now, whatever money is necessary for the campaign has to come forth.

"Everybody must do his full duty, **and be forced to do it.** Of course Anheuser-Busch Brewing Association and myself will do what is fair, right and reasonable, just and liberal. I will not mind to give \$100,000 extra if necessary, but, before I consent to anything of this kind I will have to consult my son, August A. Busch, and my son-in-law, Mr. Faust, and hear their opinion.

"I mean to say by the above that every one interested in the business should be willing to sacrifice all and everything he possesses to save our business from being wrecked by a fanatical part of the people. Besides losing our business by State-wide prohibition, we would lose our honor and standing of ourselves and families, and, rather than lose that we should risk the majority of our fortune. Now, this is the way you have to talk to the boys in order to get them all in line to subscribe without hesitation.

"I received a letter this morning from our friend, Mr. Cetti, who attended the meeting in San Antonio. He writes very enthusiastically about Mr. Hawes. He has all confidence in him as a splendid leader of the campaign. He is also of the opinion that it needs a great deal of money in order to gain a great victory, and expresses his willingness to stand by the good cause and do his full share. Mr. Cetti thinks that a great deal of expense should be borne by the outside brewers. Well, there is this to answer, that the outside brewers have a great deal at home and in the States where they are doing business. Take, for instance, Missouri brewers. They recently went through a most strenuous campaign, winning out by an enormous majority. Well, you can barely imagine the cost of that campaign. The Missouri brewers did not ask any other brewers in the country for assistance, nor did they ask that the United States Brewing Association contribute anything to the campaign fund in Missouri. The brewers of that State stood it all alone, bravely and courageously. They did not ask any assistance from other brewers in the country and this is what the Texas brewers should do. They should be equally brave and courageous, fair and liberal and make their own defense at their own cost. Of course, the brewers doing business in Texas will cheerfully put up per barrel of their sales, and besides give all possible assistance they can.

"Now, my dear Adoue, after all, if we sacrifice one half of our entire earnings in 1911 in order to make up this campaign fund, it is not so very serious. Let us sacrifice it and not lose our honor about it at all. It is absolutely absurd under present conditions to lament a moment about the costs of the campaign fund. This is the time to look cheerful and feel cheerful. No matter what the cost may be and make the people believe that we look with brightness into the future, and have full confidence in wisdom of the good people of Texas, that they will vote that fanaticism out for good at the next election. Then let us go to work, everyone, to see the people, not only in the respective cities and country where breweries are located, but to see



the people at large throughout the whole State, see every banker, every business man, every manufacturer, every real estate man, every retailer, baker, butcher, grocery keeper, whatever he may be, see every laborer and make the argument why the State-wide prohibition would be detrimental to Texas, to the welfare of its people, and to commerce and industry and to general happiness. Now, all your home banks should write letters to their correspondents in the State of Texas to use all their influence against State-wide prohibition; that would help a great deal. All your wholesale grocers in the various cities should write to all customers in the country, imploring them to down State-wide prohibition law. Everyone must help. That is what we did in Missouri. That is what gave us a majority of 216,000 votes. Now, confidently stating the brewers did a big work there. They did most of it themselves. They pulled off their coats and went to work with a determination to win and they did win and the Texas brewers can do pretty well the same thing if they are willing to do so. With all sincerity, Your friend,  
ADOLPHUS BUSCH." (TT-62.)

Letter Retail Liquor Dealers' Union of Harris County to ———  
(2-7-11):

"It being deemed advisable not to place in effect the proposed tax on beer and in lieu thereof your monthly dues are fixed as follows:

"Five dollars per month for malt dealers.

"Ten dollars per month for liquor dealers.

"This amount to be collected each month in advance.

"By this method you will pay less than under the former. We ask that you promptly pay your dues to Mr. L. Schlessinger, our duly authorized collector, and demand a receipt when paying. Should you desire to remit by check, please make same payable to E. Clede, treasurer, and mail to P. O. Box 34.

"We ask that you help out as much as possible in aiding us and saving us expense, so that we can have all the more funds on hand to fight our arch enemy—'Prohibition'—at the forthcoming election." (A-3186.)

Letter B. Adoue to Zane Cetti, Texas Brewing Company (2-27-11):

"I am making today the first call, 10 cents for Texas breweries and 5 cents for shipping breweries. Please send me your check \$5,500. The work is making good progress under Messrs. Wolters, Hulen, Hawes, Hamilton, Autrey and Price; express themselves as being so far well pleased. I am spending much of my time at Houston in conference, and I am certain you would derive satisfaction from personal visit to the headquarters, where Mr. Hawes would be pleased to show you the plan of action." (TT-69.)

Excerpt from letter J. E. Weeden, Texas Brewing Company, to W. J. Althans, St. Louis, Mo. (3-1-11):

"Adoue has called for a 10-cent assessment, amounting to \$5,500, for us.



"You will remember it was voted to declare a 9 per cent dividend, payable at the option of the president, to Auditor Althans.

"Mr. Cetti has decided to forward this dividend to you in three different remittances of \$9,000 each, and you will find enclosed St. Louis check to your order for that amount.

"I am willing to make the remittance to Galveston as hertofore if you will resubmit the funds to me.

"I can use the balance until the next remittance is called for, here, for the benefit of our cause; that is to say, the majority of the banks here in this town, if not all of them, are either straight out prohibitionists or leaning to that side.

"The vice president of my bank is one of the best friends amongst the bankers we have, in my opinion, but his associates are strong prohibitionists. He assures me that he has used the desirable balance which I have carried with him for many years successfully as an argument against the Philistines, and that thus we have succeeded in, so to speak, splitting the bank on the question." (TT-75.)

Letter J. E. Weeden, Texas Brewing Company, to B. Adoue (3-3-11):

"Notice of assessment is received, but a slight delay is occasioned by method of transfer of funds into my hands." (TT-84.)

Letter J. E. Weeden, Texas Brewing Company, to B. Adoue (3-8-11):

"Enclosed find personal check \$5,500. Delay explained in last respects." (TT-84.)

Letter B. Adoue to J. E. Weeden, Texas Brewing Company, Fort Worth (3-9-11):

"Since writing you this morning I have received your letter 8th instant with check \$5,500 for the educational fund. No inconvenience caused by delay, as disbursements have been light so far. Heavy expenses will, however, increase daily, as you will see by the report sent you this morning. One of the reasons for asking you to go to Dallas is the non-remittance of Mr. Morgan, who is, as a rule, the first member to send contributions, and you may mention that fact to him. I hope I am in error as to cause of delay, and that it is not illness." (TT-19.)

Letter B. Adoue to Otto Koehler, San Antonio Brewing Association (2-27-11):

"Your letters 25th and 26th received, contents well noted, and I hope the two collections will go as you predict; we cannot afford to lose any more territory. The payment of December and January expenses have absorbed nearly all my funds. We must now provide for February expenses, which are quite heavy. Mr. Wolters and Hawes are making preparation for the active campaign. Much of my time is taken by conferences with Mr. Hawes at Houston. Autrey is well

pleased with progress of the work and Mr. Hamilton told me yesterday that my frequent visits to Houston are producing **valuable results**. He is watching things closely and appears satisfied that things are fairly well managed at headquarters. Mr. Busch has finally agreed to contribute \$100,000, and I have asked him to send me \$20,000 monthly.

"This day I call the first contribution, 10 cents for Texas breweries and 5 cents for Lemp, Pabst and Schlitz. Miller Brewing Company did not answer my letter and I am writing again today. Messrs. Hamilton and Autrey are in favor of asking contributions from Moerlein, Del Blatz and Cook Brewing Company. Do you advise that course? Please send me your check \$15,000.

"I believe you will derive some satisfaction from a personal visit to the Houston headquarters. Mr. Hawes will be pleased to show you his plan of campaign as well as the methods adopted by us to check up disbursements." (SS-100.)

Excerpt from letter Otto Wahrmund, San Antonio Brewing Association, to B. Adoue (3-13-11):

"Referring to our financial matters as indicated in letter of our Mr. Koehler, written you recently, he desires this feature to be handled by me. I thank him, appreciate the confidence reposed in me and reluctantly accept this new and addition responsibility, and in order to avoid any possible misunderstanding, permit me to repeat my understanding of how our financial affairs are to be taken care of. I understand that each individual member shall pay on a basis of not to exceed the sum of 60 cents per barrel and all outsiders at the rate of 30 cents per barrel on last year's sales, and in addition to this, our friend Don Adolphus contributed the sum of \$100,000 personally. I do not think that the total expense involved will be in excess of the sum of \$400,000, and if this is so, the expense to each individual will be comparatively light, especially so if we are able to collect considerable money from other large business interests, which I also understand will apply as a reduction to the amount which the local brewers have to pay. I do not desire to be understood, nor would I insist that the amount to be spent will not be in excess of the sum of \$400,000, but it is my opinion that the sum named will be sufficient, for the campaign in Texas cannot be compared to that of Missouri for the following reasons:

"First—On account of the great grace of **double** high-grade politics which has been pulled off in Austin for the last two months.

"Second—The work which has been done by individual members of the Texas Brewers' Association in years gone by.

"Third—As far as I know, every daily newspaper in the State of Texas of any consequence, as well as a great many of the weekly papers, are on our side.

"Fourth—The entire representation in our National body, Senate and Congress, if not for us, have not spoken openly against us.

"Fifth—The increased vote in anti districts as evidenced by poll tax payments.

"Sixth—Last, but by no means least, the entire State administration at Austin, from Governor down, is behind us, and when the time comes will be engaged actively in the fight. I may not have given all of the various reasons in the order of their importance, but if we put them all in one great 'melting pot' I feel that conditions in Missouri cannot be compared to ours." (SS-121.)

Letter B. Adoue to Otto Wahrmund, San Antonio Brewing Association (3-13-11):

"Referring to amount due from Mr. Gardiner, I received today \$5,000 check in account and that remittance has removed all doubts as to final payment of balance due us, \$20,000. It is simply a question of patience. I did not have the same confidence yesterday." (SS-122.)

The "Gardiner" above referred to was an officer of the United States Brewers' Association.

Letter R. L. Autrey, Houston Ice and Brewing Company, to S. T. Morgan, Dallas Brewery (5-22-11):

"Herewith enclosed draft of letter to be mailed to everyone in and out of the State of Texas who sells to the breweries.

"Please read, and state if you approve. If this meets with your views, furnish us at once with a list of those you have bought from, and the amount of the purchases." (D-1229.)

The letter referred to in the last above reads:

Letter (signed) Texas Brewers' Association, B. Adoue, Otto Koehler, H. Hamilton to American Malting Co., Chicago, Ill. (5-22-11):

"You must know an election submitting **State-wide prohibition** to the people of Texas will be held **July 22, 1911**, as a Constitutional amendment.

"Its adoption means complete ruin to the breweries of Texas, because they will be forbidden to manufacture beer after January 12, 1912.

"There are only seven breweries of considerable size in the State, and four small breweries, while the expense of the campaign to which they have to contribute is as gigantic as the population of four million scattered over an area of 250,000 square miles, renders it necessary.

"An hour of critical extremity confronts us, and we appeal to our friends of whom we have bought our supplies of all kinds during the year ending May 1, 1911, to help us to the extent of donating a sum equal to  $1\frac{1}{2}$  per cent of such purchases.

"The matter is very urgent—he who gives quickly gives twice—and a prompt reply is requested. It is not necessary to add that our friends will be remembered ever after. Yours truly,

(Signed)

"TEXAS BREWERS' ASSOCIATION,

"B. Adoue, Otto Kohler, H. Hamilton.

"Your sales to the members of the Texas Brewers' Association amount to \$\_\_\_\_\_.



"Please make your check payable to B. Adoue, president, Galveston, Texas." (D-1228.)

Letter S. T. Morgan, Dallas Brewery, to R. L. Autrey, Houston Ice and Brewing Company (5-29-11):

"Complying with your request of the 22nd inst., I have pleasure in handing you herewith list of purchases from the several firms outside of State, including the Texas Company.

"I heartily approve of the plan of getting assistance from those outside people, and I think the percentage named is reasonable.

"If there is anything further I can do in the matter command me." (D-1230.)

Letter Galveston Brewing Company, I. A. Stein, to R. L. Autrey, vice president Houston Ice and Brewing Company (5-30-11):

"We beg to enclose you herewith list of purchases made outside Galveston by this company from May 1st, 1910, to May 1st, 1911, and will furnish you list of purchases made in the city not later than tomorrow." (G-672.)

The list of purchases mentioned in the last above total \$158,595.22.

Letter Galveston Brewing Company, A. L. G. Griffith, to R. L. Autrey, vice president Houston Ice and Brewing Company (5-31-11):

"We beg to enclose you herewith list of purchases made in Galveston by this company from May 1st, 1910, to May 1st, 1911." (G-673.)

Letter Hobson Electric Company, by president and general manager, to B. Adoue, Galveston (6-14-11):

"We have your favor of June 3rd at hand, and note what you say about the anti-prohibition campaign fund. I agree with you in the third paragraph of your letter in which you state that you are entitled to help from those who have furnished you supplies to the extent of  $1\frac{1}{2}$  per cent of your purchases.

"We are much interested in the propriety of the State of Texas, having a large investment in Dallas and also in Houston in the electrical supply business. You ask us to send you a check for \$2.58, being  $1\frac{1}{2}$  per cent of \$172 purchased from us by the members of your association. We feel that this is not enough, and take pleasure in enclosing herewith our check for \$25, which we figure is about one per cent of the business that we ought to do with your association." (T-1487.)

Letter Dallas Brewery, per S. T. Morgan, president, to B. Adoue, Galveston (8-16-11):

"Enclosed find letter from the American Hominy Company, also copy of my reply, both being self-explanatory.

"Also find enclosed check for \$50, which I have endorsed to you. I also received in this morning's mail carbon copy of a letter addressed

to you under date of the 14th inst. by the Hobson Electric Company.

"I only regret there are no more houses in Texas to show the willing spirit and interest shown in this letter." (D-1235.)

(See D-1236.)

Letter Southwestern Engraving and Supply Company (signed), W. E. Becker, to B. Adoue (7-1-11):

"We are enclosing herewith our check, \$100, payable to you, for \$500, as a contribution on account of the York Manufacturing Company, York, Pa., to help defeat the prohibition movement in the State of Texas coming up for a vote, we understand, the latter part of this month. We realize the bad effect that prohibition would have on the brewing industry, as well as of business in general, and therefore want to see prohibition defeated by an overwhelming majority." (A-3323.)

Letter American Brewing Association, H. Prince, to Southwestern Engineering and Supply Company (7-11-11):

"We beg to own the receipt of copy of letter addressed to Mr. B. Adoue, showing contribution of \$500 towards anti-prohibition expenses. We appreciate your liberal donation and hope with the efforts made in preventing the adoption of fanatical rules on us will be crowned with success on the 22nd of July." (A-3331.)

Excerpt from letter Wm. Schield Mfg. Co., St. Louis, to S. T. Morgan, president Dallas Brewery (7-5-11):

"The attached letter explains itself. It is not a large contribution, but it is what we could afford, and indicates to you that our heart is in the right place." (D-1240.)

(See S-6904, 7-5-11.)

Excerpt from letter Sam Levy, the Casey-Swasey Co., Fort Worth, to Otto Koehler, San Antonio Brewing Association (6-3-11):

"I am in receipt of your letter of June 2nd, and in reply beg to state to you the Gottlieb Liquor Company have never given up one solitary cent. We assessed them on a basis of the business we thought they were doing judging from the amount of gross tax receipts they have been paying.

"We are perfectly willing to take their payment on basis of what they are actually doing, the assessment to be based on the same proportion as we assessed ourselves, that is, 1 1-16 per cent, which is the same proportion as every other jobber in the State is paying. I assure you we will appreciate your efforts. I am enclosing you another letter which you can use with the trade in your city. J. Oppenheimer & Co. and Berman & Zadek have paid their assessment in full without a murmur. We only got \$50 out of Castanola and only \$300 from Hugo & Schmeltzer Co., which is all the money we received out of you.

city, with the exception of the check you sent me for Silva Heimann's contribution.

"I appreciate very much the tone of your letter and will feel grateful to you if you would take the matter up with Hugo & Schmeltzer Co. and other jobbers in San Antonio. I also understand there is a very large wholesale drug company in your city who sells considerable whiskey and who should also be made to come across with a couple of hundred dollars at least." (S-6843.)

Letter Sam Levy, the Casey-Swasey Co., Fort Worth, to Otto Koehler (3-3-11):

"I take the liberty of calling upon you for the purpose of enlisting your assistance in making some of the jobbers in your city help us fight the battle which is a very serious proposition in this part of the State.

"There are several jobbers in your city, such as Hugo & Schmeltzer Co., who have only given us a very small amount, and others who should be made to pay, and if there is any pressure you can bring to bear on these people I will appreciate very much your doing so. The only people in San Antonio who paid their full assessment were J. Oppenheimer & Co. and Messrs. Berman & Zadek. The balance of the citizens of your city who are engaged in the jobbing have not contributed hardly anything to speak of, and any action you take in this matter will be highly appreciated, as all the money goes to the general fund and we are anxious to comply with the contract we made with the manager of the general fund, that we contribute a certain stipulated amount, and it isn't right that a few of us should bear the entire burden.

"Take, for instance, my firm; we contributed \$10,000 to the general fund and besides we have to take care of our own local conditions, which are very serious and threatening and which requires a large amount of money in order to handle the situation, and the San Antonio houses should not hesitate to come across and assist in this fight, in which we all have a common interest. Thanking you in advance for anything you can do for us, I remain." (S-6847.)

Letter the Casey-Swasey Company to Mr. Otto Koehler, San Antonio Brewing Association (6-5-11):

"I received a check this morning from David Gottlieb for \$250 as a contribution towards the State campaign. I know that some one of you gentlemen were instrumental in making this party come across, and I mention it for your information." (S-6850.)

Letter B. Adoue to Otto Wahrmund, San Antonio Brewing Association (6-5-11):

"Mr. Gardiner has remitted another M 5, which reduces his indebtedness to \$15,000. It does look like as if it is only a question of patience for us to get the money in full. I suggest that you write him a **nice letter**; tell him that the next remittance will be applied to



payment of your \$15,000 note, and that you hope he will be able to remit soon, etc., and that you will need all the money you can get to meet campaign expenses before 22nd of July.

"I have never been informed in regard to payment of the \$6,500 note I hold. Is there anything coming from that paper transaction? Mr. Hamilton has never worried me by the payment of his \$15,000 claim, but I do want to settle that \$36,500 as soon as possible, and my only object in keeping it open is to use it as argument with Mr. Gardiner." (SS-156.)

The remittance referred to in the last above was from United States Brewers' Association.

Letter from J. F. Wolters, Anti-State-wide Prohibition Organization of Texas, to Julius Lilienthal, American Brewing Assn., Houston (6-8-11):

"Brewers Union No. 111 has shown the proper spirit by forwarding to me a check for \$500 as a contribution to the Anti-State-wide Prohibition Organization of Texas in its campaign against State-wide prohibition.

"I hand you herewith a letter I have this day addressed to the president of the Union No. 111, outlining a plan which I think of the utmost importance.

"I want to ask you and Mr. Autrey of the Houston Ice and Brewing Company to co-operate with these gentlemen to the end that they may carry out this plan systematically, and advise with them as to procedure.

"I really believe they can do more work and do it effectively than all the other influences we can bring to bear. It ought to be impressed upon them not only to work in the city, but also in the country, and they ought to call into conference the bartenders' union, the waiters' union and the teamsters' union. They ought to make a special appeal to the barbers because the barbers see more people than any other class of labor, and the barber can give some valuable information about many men that will be important to us." (A-3295.)

Letter Texas Brewing Company to W. J. Althans, St. Louis (6-12-11):

"Enclosed I send you Tex. Brg. Co. No. 949, on S. S. Bk. St. Louis, \$9,000. I have inadvertantly dated check 20th instead of June 12th, and do not care to alter it. The delay will cause no inconvenience I trust. In applying the proceeds of this check as discussed, it is not necessary to pay the entire amount; four and five would be about right." (TT-56.)

Letter W. J. Althans, St. Louis, to Zane Cetti, Texas Brewing Company, Fort Worth (6-13-11):

"Returned from a trip to our Eastern branches this morning, and find your letter of the 12th. As I am short of cash, I shall not be able to send you check for \$4,000 until Tuesday, the 20th, date of

check, as I shall then deposit, and trust that will be satisfactory. We are going to be up against it Va. next Legislature, as then the question of submission will come up, and it beats hell how the State will insist on making it an issue when other States have shown they had enough of pro after a trial, bell wether and sheep. Will make out check to J. E. Weeden as usual unless instructed otherwise. With kind regards." (TT-56.)

Letter B. Adoue to Zane Cetti, Texas Brewing Company, Fort Worth (6-12-11):

"Fourth call, please send check. An early reply will be appreciated. Yesterday at Houston I attended a conference with Messrs. Wolters, Hulen and Hawes for the special purpose of framing a budget which will limit expenses to our resources. I am determined not to have to that I will not personally or collectively be responsible for any contract in excess of the appropriation, and we arrived at a satisfactory agreement a deficiency after July 3rd. I want our leaders to understand. The difficulty, however, is to hold out against such demands as 'Unless we do this or that, we run the risk of losing the election.' You have no doubt met that argument many times during the past ten years. It seems to be a part of the brewing business. Mr. Wolters has confidence in a favorable result, but during the four hours' discussion he never said, 'We will win.' He oft repeated expression, 'We must win,' and I am in accord with his views. The antis have a big fight before the fifth call will be made by the end of this month and the sixth and last will be made early in July." (TT-72-73.)

Letter W. J. Althans, St. Louis, Mo., to Mr. Weeden, Texas Brewing Company, Fort Worth (1-19-11):

"In accordance with my previous letter I enclose my check for four thousand dollars, and await your wishes regarding the further five thousand I owe you.

"While the chances seem to favor our side in your coming election, I sincerely trust that the greatest attention will be paid to getting out the voters on the day, and that to the exclusion of other work which may be considered as necessary, for to get out the full strength of our side is absolutely necessary, and overconfidence is simply criminal. I may be out of town again, so give me a few days time when you call on me, so that I can arrange to have it attended to by my son if necessary." (TT-36.)

Letter San Antonio Brewing Association to B. Adoue (7-10-11):

"I would like very much to know how the various parties addressed are responding, financially, to our call for assistance in the prohibition State-wide fight. We would like to put those of our friends who deserve it on the 'Roll of Honor' and bear the rest in mind.

"If you can furnish me with list of names and amount subscribed, or will have those in charge do so, I will greatly appreciate the favor." (SS-165.)

Reply to last above, excerpt from letter B. Adoue to Otto Wahr-  
mund, San Antonio Brewing Association (7-11-11):

"The 1½ per cent contributions continue to come in slowly. Mr. Autrey has the list and I will ask him to send you a copy; in fact, have sent him your letter." (SS-166.)

Excerpt from letter Otto Wahrmund, San Antonio Brewnig Asso-  
ciation, to B. Adoue (7-13-11):

"After making proper effort, going to considerable trouble, we were enabled to raise not only sufficient money to take care of all of our expenses, but will have in addition all the way from \$4,000 to \$10,000 to send to headquarters, due partly to my efforts and again to Mr. Koehler." (SS-167.)

Letter B. Adoue to Zane Cetti, Texas Brewing Company, Fort Worth (7-11-11):

"I am informed that some of your drummers are telling to the trade that Miller Brewing Company is not contributing to anti cam-  
paign, which is an error. Mr. E. G. Miller has paid call No. 5 and will undoubtedly pay No. 6, made yesterday. Please instruct your people to discontinue making that incorrect statement. Because Miller Brewing Company did not contribute to our expense in the past is no reason for making that accusation now. I feel confident that Mr. Miller will continue to be in line with our work in the future, and it is our duty as well as to our interest to maintain harmony, and cultivate a friendly feeling all around." (TT-72.)

Letter B. Adoue to J. E. Weeden, Texas Brewing Company, Fort Worth (7-10-11):

"Sixth and last call, please send check, as you may well imagine demands on the treasury are frequent and heavy. No. 5 has been paid by all the contributors. Yours is the only exception, and I hope it is coming very soon." (TT-72.)

Letter B. Adoue to J. E. Weeden, Texas Brewing Company, Fort Worth (7-12-11):

"Your letter of yesterday received with check \$5,500. Very good time; only ten days more." (TT-72.)

The following is a letter from R. L. Autrey, Houston Ice and Brewing Company, to B. Adoue (9-2-10) showing a source of funds for 1911 additional to all of the above:

"Dear Sir: Our friend has just returned from New York and Philadelphia. He met Mr. Gardiner and Mr. McDermott.

"They are well pleased with Texas situation and said complimentary things about the work. They asked how much the submission fight cost and he answered, \$15,580. Mr. G. remarked if this is the case we owe the Texas people one-half, or say \$7,790, and not \$25,000, like



Mr. Wahrmund has requested us to remit in accord with the Koehler agreements made in Chicago. Our friend asked how about the \$15,000 due Mr. Autrey and Mr. G. said: 'We will pay that in a few weeks; we will have the funds available shortly for that purpose.

"Mr. Wahrmund must have slipped a cog somewhere and badly tangled up the situation—if the agreement was to contribute by the Philadelphia people one-half of the amount that passed through our friend's hands, then he ought to know just what he has coming and not deceive himself.

"For the future the Philadelphia people are in line to begin work January 1st and will continue with us in every phase of our work, paying one-half of the expense.

"We want to do no work in January. Don't want to begin until three months before election, but they think we ought to begin in January.

"I am going to Amarillo tonight and I am going to keep clean saloons in mind in whatever I do in the way of business. I have talked to Paget today and he read me the letter he wrote to Anheuser-Busch—therefore I know what my duty is in the premises." (Autrey's testimony, sec. 4, pages 478-480.)

The following is an excerpt from a letter to Mr. Otto Koehler from B. Adoue (3-29-11):

"The Houston headquarters is very active preparing for the campaigns on a large scale. Mr. Hawes, who is in Dallas today, will warn Mr. Wolters against the heavy expenses during April and May. The real fight will commence after 1st of June, and not until then can much be done. We must preserve our resources for June and July. From Dallas Mr. Hawes goes to St. Louis for the purpose of working the distillers' interest.

"I have received a favorable answer from Miller Brewing Company in the shape of a small check, which, however, I have not yet accepted, as I am not clear as to whether it is intended for one contribution, or for a monthly subscription, if the first, I shall send back the check, not being enough." (SS-132.)

The following letter was written by Adoue to Koehler (4-7-11):

"One member of our association has suggested that the Texas breweries should not pay the one cent per barrel annual dues to the U. S. Brewers' Association. My answer is: We cannot afford to raise that question just now, when we are receiving \$150,000 from the outside breweries and are asking more from other interest. Galveston Brewery has remitted its dues, and I have instructed Lone Star and American to do likewise if they have not already paid." (SS-136.)

The following is a letter to Otto Koehler from B. Adoue (4-11-11):

"Your letter of yesterday received. All the Texas breweries have now remitted their dues to United States Brewers' Association and I have no doubt you will do the same. Mr. Autrey did report result of your conference at Houston and said that Mr. Lane intimated that

some money may be obtained through Mr. Parker. As to getting money from other interest, you know my views. I expect little if anything. Last Sunday and last night I spent at Houston, where I met the emissary of the Cincinnati interest, and I expect to get from them six figures; there is very little if any doubt about it. Now the serious work confronting me is to see that the funds are intelligently disbursed; not an easy job. To secure the six figures I had to make promises, which I will explain when I meet you. This is really the heaviest job I have ever handled, and were it not for the assistance of Mr. Hawes I would undoubtedly be under an almost unbearable strain, with so many conflicting interests to harmonize. I will be glad when the 22nd of July is past." (SS-139.)

The following letter of Otto Koehler of San Antonio Brewing Assn. is addressed to Mr. B. Adoue (4-12-11):

"I am in receipt of your favor of the 11th inst. and indeed glad to hear that the mission of Mr. Hawes to Cincinnati was successful, and I hope now that nothing will interfere to prevent our hopes from being realized.

"I have not yet given up hope of being able to secure funds from outside sources and lots of it, too, and I will not lose heart until convinced that the effort is a failure. I anticipated being able to raise a great deal of money in this city just as soon as our local political struggle is at an end, which will be about the middle of next month, and if this matter is taken hold of in the right spirit by some one of us, agitated vigorously and with the proper management, a great deal can be done outside as well. The whole question resolves itself into one proposition, i. e., in getting the right kind of people with us. We must get the business element interested in our cause and show them that the breweries and saloon men are the least interested in this great question of personal liberty.

"I have written out a statement for our newspaper editors to be guided by, and they all concede that it is very good, logical argument, and will govern themselves accordingly. Of course, if no one undertakes to take up the matter in the proper spirit and create the impression that it is not a question of collecting, but of spending the money, then you may be assured that they will not run after us in order to contribute funds.

"The editorials in our leading paper, The Express, one of which I enclose, are in the right direction. I have an idea that you keep The Express on file, but in case that you do not, let me know and I will send you copy at times when there is anything out of the ordinary worth reading.

"I had a talk this morning with a number of our leading business men who called at office to see me on private matter, and when question of State-wide prohibition was mentioned I went over the situation with them fully, and they were all agreed that they would be only too glad to take hold of the matter in our behalf when the proper time came; that I should let them know, which I will do, and I am confident of being able to raise a large sum of money in San Antonio.

"I appreciate the big job which you have in hand in keeping our spendthrift friends from jumping the traces, and if you and Hawes and the rest of us will only plead a little poverty, I think that we can hold things down and the expense will not be too great until the time for action arrives, which, in my opinion, is about June 15th.

"I hope that if outside assistance is given and funds collected from that source that they will be kept in ignorance, will not know of it; in fact, I feel that it was a big mistake to permit them becoming familiar with all of the details pertaining to funds on hand now.

"Mr. Autrey writes me that Mr. Parker thinks favorable of our proposition and that I may look for call for personal interview on the subject at any time now." (SS-140.)

Letter (4-13-11) from the Texas Brewing Company to Mr. Althans:

"Enclosed please find Texas Brewing Company's No. 927 on South Side Bank of St. Louis for \$9,000, distribution of which please make as agreed upon." (TT-56.)

Letter from W. J. Althans, St. Louis (4-17-11), to Mr. Zane Cetti, Texas Brewing Company:

"Yours of 13th with enclosure as stated received this morning and replying thereto enclosed find check for \$9,000 on German Savings Institution, this city, which I trust will reach you promptly." (TT-56.)

The following is a letter from J. E. Weeden, Texas Brewing Company, Fort Worth, to B. Adoue (4-20-11):

"Enclosed please find personal check \$5,560. The delay, as before, is owing to method of transfer of funds. It is now arranged, however, so that next call can go forward by return mail." (TT-84.)

Letter from Otto Wahrmond to B. Adoue (4-15-11):

"Since writing you this morning I received telegram from Mr. Gardiner, copy of which I beg to hand you herewith for your information." (SS-143.)

Letter from John Gardiner of the United States Brewing Association to Otto Wahrmond, Western Union night letter (4-14-11):

"Delay not due to me, but to contributors, whose intentions are all right but confronted with great difficulties. They are further handicapped by absence of one of them. On his return am sure they will get busy. Will use your message as additional stimulus and hope for results." (SS-142.)

Excerpt from letter to Otto Wahrmond from B. Adoue (4-17-11):

"Your letters 15th and 16th received. I return herewith Mr. Gardiner telegrams. He no doubt states exact conditions of his treasury. We must keep after him." (SS-144.)

The following is a letter from Otto Wahrmond to B. Adoue (4-18-11):



"I beg to acknowledge receipt of your favor of the 17th inst. and note contents. In a previous communication I sent you copy of telegram which I sent Mr. Gardiner, also copy of his reply thereto, and I sincerely hope that that matter will soon be straightened out.

"As far as our dues are concerned, beg to state that we will remit to cover not later than Friday next." (SS-148.)

Excerpt from letter from B. Adoue to Otto Wahrmund, San Antonio Brewing Association (4-22-11):

"Your letter of yesterday received with check as stated. I can report collections of the entire second call from El Paso to Miller Brewing Company, excepting Schober, who so far has remitted only \$400 and \$200. The liquor dealers and distillers' promises have not materialized yet, but I do know they are working in the right direction and I believe we will get **some money**, although it may not be 100 M." (SS-149.)

Letter from Otto Wahrmund to Edgewood Distilling Co. (5-4-11):

"I beg to advise that your worthy president and our good friend Mr. Silva Heimann called on me this morning and handed me draft on your good selves for the sum of \$1,000, to be used in the coming campaign. I beg to assure you that the consideration is very much appreciated indeed, and the funds will be placed where they will do the most good.

"From present indications the outlook is very good, and the probability is that we will beat the pros by a big majority, but we must not let up until the election is over and the votes have been counted." (S-6812.)

The following is a letter from Sam Levy, Casey-Swasey Co., Fort Worth (4-27-11), to R. L. Autrey:

"I hate like the mischief to call upon you, but it is my understanding you and Mr. Hamilton have an interest in the firm of Edward Weil & Co.

"We assessed this party on basis of \$150,000 or about sixteen hundred dollars. He sent me a check for \$250 today, which he tendered in settlement of his first installment on this assessment. The arrangement we made was to divide the total amount up into three payments:

"Now, Autrey, I know you and you know and appreciate what I am doing and I don't have to go into details with you, but it is simply asking too much of the North Texas jobbers to pay for the entire State, and I ask you as a personal favor to see Mr. Weil and see to it that he sends me a check for the balance he is due on his first payment and also see that the second and third installments are sent in promptly and for the correct amount. We only assessed him on a basis of \$150,000 a year business and I understand from good authority he is doing a \$250,000 annual business.

"Now please be kind enough and see him and let me hear from

you that he will remit balance due on his first payment and also make the second and third payments promptly."

The following is a letter from J. E. Weeden, Fort Worth, to B. Adoue (5-13-11):

"Your two favors received promptly, but only just this morning succeeded in getting at Levy under favorable conditions. Enclosed find my check.

"He says that in his opinion the funds from outside sources ought to be available right now.

"That his State people have responded to only one call as yet, but second call is out, and should meet prompt response. He thinks he could forward you \$5,000 next week if necessary." (TT-84.)

The following is a letter from B. Adoue addressed to J. E. Weeden, Fort Worth, an officer of the Texas Brewing Company (5-15-11):

"Your letter of the 13th received with check; thanks for promptness. Please inform Mr. Levy I am prepared to receive the \$15,000 check. The demands on our treasury are heavy and regular. To question relative to Tarrant County you must keep in touch with Mr. Wolters, who has the high direction of the fight, and as he is located at Dallas, can be easily reached by you. To look after North Texas situation was the special reason for transferring his office to Dallas." (TT-73.)

The following is a letter from J. E. Weeden, Texas Brewing Company, to B. Adoue (5-16-11):

"Re Edw. Weil.

"Yours of the 15th at hand, and Tarrant's affairs will be taken up with Wolters. It was some such advice from you which I wanted to introduce the matter with him. Our chairman was becoming perturbed.

"Enclose correspondence in re Weil, which explains itself; at least I hope you can read enough—some between the lines—to see where the hitch is in your receiving the funds in question. Levy's enclosed to Autrey is subsequent to other correspondence between us, some of Levy's letters being unanswered by Autrey. L. is sore, and states to me positively that if Weil's too small assessment is cut in two, he, Levy, will divide his in half. I'm afraid he means it, and that, you understand, would entail a loss to our treasury of one-half of ten thousand, or \$5,000—a serious matter. If suggestions are in order, to the extent of the lacking \$750—and thus save the \$5,000. If this should be done, wire me the guarantee, and I in turn having Levy's promise, will see to the immediate forwarding of the \$15,000 to you. I have Levy's promise for this, and then, in my opinion, the further remittance can go forward in full as originally outlined. I hope you will not underrate the case; relations as at present between Hamilton, Autrey, Weil and Levy are most unfortunate.

"P. S.—My information is that Hamilton and Autrey practically own the Weil business." (TT-35.)

Excerpt from a letter from Sam Levy, Casey-Swasey Co., to R. L. Autrey, Houston Ice and Brewing Company (5-16-11):

"I have addressed you two or three times regarding the assessment we made against the firm of Edw. Weil & Co., who has paid just half of the account which was assessed. This is not satisfactory and I am not going to stand for it, and I want you to get after them and see that this fellow puts up the full amount we assessed him, which, by the way, is just about half of what he ought to pay, as we understand he is doing \$100,000 more business a year than we were aware of, and unless he does come across with the amount we notified him he was assessed, I will do likewise with my own assessment. This is the last time I propose to call your attention to this matter and you and others will be the sufferers, because I am not going to be taken advantage of in this manner by this party or any one else.

"Every other jobber in the State who was assessed has paid their full assessments and nobody has refused to do so except Weil, whom we assessed a great deal less money than we should have, as, according to the amount of business he is doing, he ought to pay at least one-half as much again.

"I am bringing this matter to your attention again because I know you and Mr. Hamilton are largely interested in this business, and besides, you are large contributors to the State fund and you therefore should not hesitate to make this man do what the rest of us are doing, namely, paying the full amount we were assessed."

The following letter was written by Sam Levy, Casey-Swasey Co., from Fort Worth (5-17-11), to R. L. Autrey:

"I am in receipt of your day letter of even date and in reply beg to state to you, I wrote you under date of April 27th and enclose herewith copy of same.

"I also had Mr. Weeden write you several times. Mr. Adoue is calling upon us for some money, but I don't propose to send any money down there until these people, who I know are plenty able to do so, pay the full amount of their assessments. As I previously stated to you, we assessed Weil & Co. way below the amount they ought to pay, as we now understand they are doing \$100,000 a year more business than we figured on, and until their assessment is paid the money will not be forthcoming. As soon as I hear from you that the matter has had your attention and the money is in the mails, I will then comply with Mr. Adoue's request, but not before, as I can assure you we are doing all we possibly can in this part of the State and the people in the Southern part must also help us and do their share and come across with the full amount of their assessment."

The following is a letter from Sam Levy, Casey-Swasey Co., (5-18-11), addressed to R. L. Autrey:

"I am in receipt of your check for \$562.50, being the amount of back assessments due from Edward Weil & Co.

"I suppose you understand there is still one more installment



due from that concern, which is payable June 1st, and amounts to \$531.25, and I hope that you will see to it that check is mailed promptly on or before that date in settlement of the third and last installment."

The following is a letter from the Texas Brewing Company to W. J. Althans, Anheuser-Busch Brewing Association, St. Louis (5-18-11):

"Re subscription Henry Pfaff.

"We beg to refer to our letter of April 26th, and your reply of April 28th, relating to the above subject.

"Mr. Levy informs us that nothing has been heard from Mr. Pfaff and that they are utterly unable to do anything with him.

"Will you kindly get behind this gentleman again with a sharp stick, pointing out his delinquencies in this regard, and assuring him of the urgent necessity for every one to stand shoulder to shoulder in this fight if it is to be won, telling him also, 'If 'twere well it were done, 'twere well it were done quickly.'

"Mr. Levy assures us that everything possible has been done from this end without avail, and if Mr. Pfaff's assistance is had at all—and it is badly needed—it must be obtained through your good selves." (T-1481.)

The following is a copy of a letter to B. Adoue, Galveston (5-26-11):

"Re subscription Bartenders' International (covering copy of letter to Jerry Deems).

"For your information.

"Hope that remittance may be forthcoming promptly. If not, advise me, and I will see what can be done. WEEDEN.

"P. S.—The brewery and Sam Levy subscribed each fifty dollars to send the delegation." (T-1483.)

The following is a letter to Mr. Peter Schramm, Taylor (5-31-11):

"Noting request, your favor of the 30th inst., we are very sorry indeed to be compelled to deny the same. If we did as desired, with our Taylor friends, others would expect the same consideration, and where would all of this end? So far, we have not said 'No' to any request made of us, but in view of the fact that we surely feel that we are now in the midst of a campaign which will cost the breweries of this State the sum of \$500,000, we surely feel that our friends might also have a little consideration for us, and if you feel that you must do something for them, why not take care of the item yourself in this instance?" (S-6832.)

1912.

The basis of the payment of the Texas Brewers' Association for 1912 is shown in the following letter from American Brewing Association to W. J. Althans, St. Louis, of date April 10, 1912:

"As I understand it our assessment is figured on our sales of

77,000 barrels in the year 1910 at 14 cents per barrel. One-half of this amount, \$5,390, is now some time past due.

"However, as far as I am advised, the second call has not been made.

"I want to thank you for the three photographs of our vice president. As all of them are so excellent, I could not decide which one to use for our purpose, so took a 'referendum' vote of the boys in the office, the result of which was unanimously in favor of the full-face three-quarter photograph." (A-3506.)

The payments by the American Brewing Association for that year, therefore, aggregated \$11,789.

The payments by Texas Brewing Company aggregated \$7,000, as is shown by the following letter from R. L. Autrey, Houston Ice and Brewing Company, to Zane Cetti, Texas Brewing Company, of date February 15, 1915, and by the following letter from Autrey to Cetti, May 7, 1912:

Letter from R. L. Autrey to Zane Cetti, February 15, 1912:

"The payment of subscription to the 1912 fund will be made in two installments. I am now calling the first amount for one-half of the subscription. I figure the amount due from you on first call is \$3,500.

"The second half will be called some time in April. Please remit to South Side Bank of St. Louis, for the credit of R. L. Autrey, trustee. Please advise me when you have remitted."

Letter R. L. Autrey to Zane Cetti, May 7, 1912:

"Please remit to the South Side Bank of St. Louis the amount of the second call, \$3,500, for the credit of R. L. Autrey, trustee, and advise me when you have done so.

"If convenient please arrange so this remittance will reach the bank not later than May 17th."

The barrelage of the Lone Star Brewing Company was 102,118 barrels (see Bruhn's testimony, page 16). The payments of that company therefor aggregated \$14,296.52.

The barrelage of the San Antonio Brewing Association was 175,000 barrels and payment aggregated \$24,500.

The barrelage of the Houston Ice and Brewing Company was \_\_\_\_\_ barrels and payment aggregated \$\_\_\_\_\_.

The barrelage of the Dallas Brewing Company was \_\_\_\_\_ barrels and payment aggregated \$\_\_\_\_\_.

The barrelage of the Galveston Brewing Company was \_\_\_\_\_ barrels and the payment aggregated \$\_\_\_\_\_.

1913, 1914, 1915.

The evidence for the payment for these years is as follows:

#### BRUHN'S TESTIMONY.

Henning Bruhn, general manager of the Lone Star Brewing Company, San Antonio, testified, September —, 1915, as follows:

Q.—In 1912 do you recall the basis?

A.—That was after Mr. Adoue's death; that matter was handled quite differently from that time on.

Q.—How was it handled after Mr. Adoue's death?

A.—The stockholders of the Lone Star Brewing Company would make their contributions to me directly.

Q.—Now, did you expend it, or did you send it to some other man to be used in this work; did you send it to Mr. Autrey?

A.—I sent it to those parties to whom I was asked to send it.

Q.—Mr. Autrey, wasn't it, up until 1914 or 1915?

A.—Yes, I sent some contributions to Mr. Autrey.

Q.—Was there anybody else, Mr. Bruhn, that you sent them to?

A.—Yes.

Q.—Well, who was it?

A.—Mr. Morgan.

Q.—After Mr. Adoue's death?

A.—Yes.

Q.—Well now, was that contemporaneous with the payments to Mr. Autrey, or was it at different times?

A.—Different times.

Q.—Different periods of time, what period of time did the payments to Mr. Morgan cover?

A.—I don't remember.

Q.—Do you remember the year or years in which they were made?

A.—My recollection is that I sent in 1914 some contributions to Mr. Autrey and some to Mr. Morgan.

Q.—Well, in 1915?

A.—I sent those amounts to Mr. Autrey.

Q.—What was the basis for 1915?

A.—1915?

Q.—Yes, this year?

A.—I don't know, I don't remember the amounts.

Q.—Well, you seem to have made a mistake, do you mean that you sent them to Mr. Autrey, you seem to have misunderstood the year I was asking about?

A.—1915, this year?

Q.—Yes?

A.—Yes, I remember I sent one or two remittances to Mr. Autrey.

Q.—Was that for all of the stockholders; was this same plan carried out up to date?

A.—No, sir, it was not.

Q.—That was just your pro rata, was it?

A.—No.

Q.—What was the plan?

A.—Only the larger stockholders contributed.

Q.—Did they contribute in proportion to the amount of stock they owned?

A.—Yes.

Q.—Would those principal stockholders send it to you and you send it on to Mr. Autrey?



A.—Yes, when I was called upon to do so, I kept it in trust for them until I was called upon to disburse it.

Q.—Would they make payments to you before you were called on to send it to Mr. Autrey?

A.—Not always.

Q.—In any cases where they did not, what plan was followed for making reimbursement to you, or making it up; reimbursing you?

A.—They would send me the money afterwards.

Q.—Now, you know about what your barrelage is this year; can you make a calculation and give us the basis of the payments for this year?

A.—It is not based on barrelage this year at all.

Q.—What was it based on?

A.—It was based on the amount I would probably have to contribute.

Mr. Newton: Are you speaking of the year 1915?

Mr. Nickels: Yes.

The Witness: It was based on my usual calculation for other expenses that I might have in connection with totaling a certain amount, which I would ask the stockholders to contribute in a ratio. \* \* \*

Q.—Do you recall what it amounted to, Mr. Bruhn?

A.—I think it was about \$1.75 or \$2 per share of \$100.

Q.—Well now, what do you mean by larger stockholders; to what extent would a man have to own stock to come within that class, as you use the term here?

A.—The smallest stockholder who contributed to that owned 125 shares.

Q.—Well now, who made that apportionment, and fixed the amount that the Lone Star people were to pay for 1915?

A.—Somebody had to do it.

Q.—Do you know who did it; did you do it?

A.—Yes.

Q.—For your people?

A.—Yes.

Q.—Did you understand that those connected with the other breweries were making like payments?

A.—I didn't know anything about it.

Q.—Wasn't you told that?

A.—No, sir, I never asked for that information, nor did I hear anybody else express themselves.

Q.—Were you called on for this donation?

A.—Yes, sir.

Q.—Before you made the apportionment or calculation?

A.—That varied sometimes; sometimes I would have money enough on hand and sometimes I would not.

Q.—Well now, when you would be called on for these payments in 1915 wouldn't the total amount be suggested in some way; how would you know what payment to make?

A.—I do not remember exactly how that was done. I was called upon to contribute a certain amount.

Q.—Did these calls come in writing or by word of mouth?

A.—Both.

Q.—When did the last one come, Mr. Bruhn, about what time this year?

A.—Early this year. \* \* \*

Q.—Now, Mr. Bruhn, in making payments for your people during 1915, how did you know but what you were paying more than your proportion, that is, I mean as compared with the other Texas brewery people?

A.—I have no way of knowing it at all.

Q.—You left that entirely to this collecting officer?

A.—Yes, sir.

Q.—Well, did you think that the other Texas breweries were paying along about the same proportion?

Mr. Aubrey: I object to that as wholly immaterial and an opinion of the witness on a matter about which he is not supposed to have any knowledge.

Mr. Nickels, to the witness:

Q.—Well, you didn't think that you was bearing all the burdens, did you, Mr. Bruhn; that is, your people?

A.—I didn't know anything about it.

Q.—What was your understanding at the time; didn't you think about that subject?

A.—I took it for granted that every stockholder in the Texas breweries paid something.

Q.—You took that for granted?

A.—Yes, I didn't know it, though.

Q.—Well, did you take it for granted that they were paying about on the same basis that your people were?

A.—I expect so, but I don't know.

Q.—Now, if that, for what purpose was this money being collected and expended, Mr. Bruhn?

A.—I have no knowledge of that whatsoever.

Q.—Did you have any understanding about it?

A.—No, sir.

Q.—I don't mean with anybody else, but didn't you know what was going with your own money?

A.—No, I never inquired.

Q.—Never inquired?

A.—No, sir.

Q.—To refresh your memory, if I can, do you recall that nobody said anything to you at all about it, by letter?

A.—No.

Q.—Or by telephone?

A.—No.

Q.—Or by verbal conversation?

A.—No.

Q.—Now, what period of time did you make the payments to Mr. Louis Adoue, you mentioned while ago?

A.—Only once.

Q.—What year was that?

A.—This year.

Q.—You didn't make any payments to him before that time?

A.—No, sir.

Q.—Was that on the same basis, that is, apportioned amongst your people on the same basis as to stock?

A.—The payment by the stockholders, you mean?

Q.—Yes, what did you say it was, \$1.25 a hundred?

A.—I collected, I remember, it was either \$1.75 or \$2 per share.

Q.—Well, did you collect on that basis at the time you made the payment to Mr. Louis Adoue?

A.—I collected from the stockholders of the Lone Star Brewing Company every year a certain amount which I had on hand.

Q.—What was this \$2 or \$1.75—did that cover your year's expenditure, or did you have two payments?

A.—The last payment I am speaking of, the last contribution was based on that; the others, I don't remember; they would vary from year to year.

Q.—Did you just make one payment this year?

A.—To Mr. Louis Adoue, yes sir, only one.

Q.—Did you make a payment to anybody else this year?

A.—I am not quite sure about that; I think I made one payment to Mr. Autrey.

Q.—Do you remember what it was, or what it amounted to?

A.—It was only a comparatively small contribution.

Q.—Don't you remember what it was in round numbers?

A.—I don't remember exactly, because I never kept any record of these payments. It was at my disposal, and I would draw upon that fund, as I would be called upon, but I have no record of it, and don't remember exactly.

Q.—I understand you cannot remember exactly, but can't you give it in round numbers, approximate it?

A.—No, I cannot.

Q.—Can you approximate the amount paid to Mr. Louis Adoue?

A.—I don't remember that amount.

Q.—You don't remember anything about what the amount was; could you get in \$1,000 of it?

A.—It was more than that.

Q.—I say, can you come within now, say \$500 of what the amount was?

A.—My recollection is that it was between \$4,000 and \$5,000.

Q.—Mr. Bruhn, to lots of folks like myself and Judge Keeling here \$5,000 is a big amount of money. Do you want to be understood as saying that you paid out that much money without knowing or having any idea what was to be done with it?

A.—I always had implicit faith in those of our friends who handled the fund, and made no inquiries whatsoever.

Q.—Well, now, this fund, while it was in your possession, how would it be handled, before you would send it down to Mr. Adoue or Mr. Autrey?



A.—I would send them my personal check.

Q.—I mean while you had the money there, did you keep it at San Antonio yourself?

A.—Yes, kept it in the bank there. \* \* \*

Q.—Do you remember how many payments you made last year, 1914?

A.—I do not.

Q.—Do you remember whether it was one or more than one?

A.—More than one.

Q.—Do you remember about what times of the year they came?

A.—No.

Q.—Was one of them early in the year, the spring?

A.—I think they were scattered all over the year.

Q.—Now, did I understand you aright to say all those payments were made to Mr. Autrey in 1914?

A.—No, you didn't understand me right.

Q.—Was that paid to Mr. Morgan part of the time?

A.—Yes.

Q.—Which part of the year did you make the payment to Mr. Autrey and which part to Mr. Morgan?

A.—I don't remember.

Q.—Don't you know which came first?

A.—No, I can't tell you.

Q.—Now, 1913, do you remember how many payments there were?

A.—Several.

Q.—Do you know how—now when these 1914 payments, were they apportioned on the same basis of \$1.75 and \$2?

A.—I told you before that was arranged in accordance with the probable expense the stockholders would have to incur, and it varied; some years it was less and some years it was more.

Q.—About what was it in 1914?

A.—I explained that before.

Q.—\$1.75?

A.—I think so.

Q.—Was that for the entire year, or each payment?

A.—For the entire year.

Q.—Did it vary for 1913 from 1914?

A.—I think in 1913 it was less.

Q.—Now, about how much less?

A.—I don't remember.

Q.—Don't you remember about what it was? I am not asking for the exact figures.

A.—What was it in 1913?

Q.—Yes.

A.—No, I don't remember the exact amount.

#### ADOUE'S TESTIMONY.

On December 15th, 1915, L. A. Adoue of the Galveston Brewing Company testified as follows:

Q.—Mr. Adoue, I want to ask you a few questions about the funds

raised by the breweries of Texas, and, perhaps, others, which you handled as treasurer, or in some other capacity, for those who contributed. Now, is it true that you handled some of those funds?

A.—In 1915 only.

Q.—Just 1915?

A.—Yes, sir.

Q.—It wasn't clear in my mind with reference to any other year?

A.—Not from the individual brewers, except in 1915.

Q.—When was that fund raised, Mr. Adoue?

A.—This summer—I don't remember the exact month.

Q.—It seems that there was a meeting held here on July 5th and a meeting, I believe, held at Galveston prior to that time?

A.—Yes sir, the Galveston meeting——

Q.—Were all the Texas breweries present—that is, had representatives present?

A.—I think every one except Fort Worth.

Q.—Fort Worth was not represented?

A.—No.

Q.—Did they come in on the fund?

A.—No.

Q.—Did all the other?

A.—The breweries did not—the individual stockholders did.

Q.—The stockholders of each of the other breweries?

A.—Agreed to give so much money.

Q.—That does not include El Paso?

A.—No, I wasn't considering El Paso at all.

Q.—Did those interested in any of the outside breweries come in on it?

A.—It was discussed to get them—it was discussed, that we should take it up with them.

Q.—Has that been done?

A.—Yes, sir.

Q.—Have you reached a decision on it yet?

A.—Not definite, no sir.

Q.—They have not actually paid in anything yet?

A.—Some individual stockholders of St. Louis have agreed in a way that they would send something, but we can't collect the money from the individuals.

Q.—Is that the Anheuser-Busch Brewing Association or Lemp's.

A.—Anheuser-Busch stockholders.

Q.—What was the amount that they agreed to contribute?

A.—It was placed at the start for a lump sum, to be decided on, and handled by Mr. Autrey; I wasn't delegated to name the amount; I was simply to hold the funds—to collect it from the crowd; they just wanted somebody to get the money in and named me.

Q.—Didn't they tell you about what they expected in amount?

A.—No, sir, nothing definite, because they were going to try to get the money from those people in proportion to the amount of business as compared with us, and that proportion they never have been able to arrive at.

Q.—They have never named the amount for the Anheuser-Busch people?

A.—No, sir.

Q.—Do you remember whether Mr. Autrey or anybody else for the Texas breweries have determined what they ought to pay, and have asked them to pay?

A.—There have been a great many arguments, Mr. Nickels, as to the amounts, but they have never agreed whether they should pay the same amount as our stockholders should pay, based on their business, or whether they should pay one-half the amount our stockholders should pay.

Q.—Was this amount raised in so far as the Texas breweries were concerned—was that equally divided by the number of breweries or by the amount of business?

A.—By the amount of business.

Q.—Can you state approximately what the amount of each of the Texas breweries was—two of them have already testified, I believe?

A.—I can tell you in a general way. During the storm of August—and that is in answer to your telegram, by the way—I was out of the city, and we had four and a half or five feet of water in our vault. I kept no records of those things other than when I got the money I would deposit it, and when I paid it out I would just simply draw a check, that book was destroyed while I was away—everything in our vault was destroyed.

Q.—Do you remember approximately what the amount was?

A.—I can give it to you in a general way. Mr. Wahrmund sent me about \$12,000, as I remember it; Mr. Autrey sent me about \$11,000; Mr. Bruhn about \$8,000; Mr. Morgan, \$5,000; Mr. Prince collected by me, in other words, he did not send it, but I collected it from the stockholders, for the American, \$6,000, I think.

Mr. Stubbs: These are all approximate amounts?

A.—Approximate, yes, sir.

Q.—Now, the Galveston brewery?

A.—Galveston—I collected \$3,500, I think; that covers it; Fort Worth, nothing.

Q.—Fort Worth did not come in? Did you ask Fort Worth to come in?

A.—No, sir—in fact, I didn't ask anybody; it was decided that they would send me the checks.

Q.—Well then, has this money been expended, Mr. Adoue?

A.—Yes, sir.

Q.—Now, for what purpose was that fund raised?

A.—You know I had no knowledge of anything that happened before this time; they stated that this money was due Colonel Wahrmund, Mr. Morgan and Mr. Autrey, and I sent them checks for the entire amount; I think I made out three checks.

Q.—Do you remember whether it was in equal amounts?

A.—I sent Mr. Wahrmund about \$22,000; I sent Mr. Morgan about \$6,000, I think, I am not sure, and practically the balance to Mr. Autrey.

Q.—Now, about what month was it that you sent these checks?



A.—Oh, a week or ten days afterwards; I simply got the money and sent it right out.

Mr. Stubbs: What month was it?

A.—I think it must have been in July, or possibly in August.

Q.—The San Antonio meeting was on the 5th of July and the Galveston meeting was previous to that?

A.—It was either previous or afterwards.

Mr. Stubbs: It was in the early summer?

A.—I think the Galveston meeting was after the San Antonio meeting—I am not sure.

Q.—You were present at the meeting when the raising of this fund was discussed, wasn't you?

A.—Most of the time, yes, sir.

Q.—Well then, what were the purposes of raising the fund?

A.—I told the gentlemen that I would collect the money for them and remit it. They said it was to pay back debts that the different brewers owed Mr. Autrey, Mr. Morgan and Colonel Wahrmund.

Q.—For what purposes were the debts incurred?

A.—I couldn't tell you. I had simply been delegated to receive this money and pay it out.

Q.—Didn't they discuss these purposes there in the meeting in a general way?

A.—No, sir; it was decided that they wanted to clean up what they owed and they had to reimburse these gentlemen for this money.

Q.—Didn't they discuss the general proposition that these were debts incurred in the elections?

A.—They discussed that they had used this money in some sort of work; I had not had anything to do with any political work and knew nothing about it.

Q.—You didn't understand in a general way what the nature of this work was?

A.—Except in a general way; I suppose in fighting different measures that were against the brewing interests; I had never had anything to do with any political affairs up to that time; in fact, have not had anything to do with it since.

Q.—Did you have any information as to who these debts were owing to?

A.—They were owing to those gentlemen. I mean Mr. Wahrmund, Mr. Morgan and Mr. Autrey.

Mr. Keeling: Didn't you all satisfy yourselves that the debts were paid, and in order to do that wouldn't you have to ascertain about—

A.—No, whenever Mr. Autrey and Mr. Morgan claimed that they had spent some money for the general purposes, for the good of the business, it was understood that they would be paid, and they did not have to make a general account.

Q.—It has been testified to that the way this contribution was raised was that it was based upon the amount of stock owned in each brewery?

A.—My understanding is—the way I did with Galveston was—that we were assessed so much on our business and then I raised

that proportionately among those of the stockholders that I could get to give it; they decided on the amount of business that each brewery needed to furnish, and then I had to get that based on the amount of money I could get from each stockholder.

Q. (Mr. Nickels).—Do you know whether or not, Mr. Adoue, that any of those funds were used in the election of this year—with reference to the Constitutional amendments?

A.—Not of my own knowledge, no, sir.

Q.—Well then, have you any information about it?

A.—No, I couldn't say, sir.

Q.—You have never been told that it was not?

A.—No, sir.

Q.—Was the 1915 election discussed at either of these meetings?

A.—What do you mean by the 1915 election?

Q.—Well, on the Constitutional amendments—held in July of this year?

A.—I think it came up, for it was going to be placed before the people.

Q.—Did it go any further?

A.—Well, it was stated that it would be very detrimental to our business, and that we would have to try to work for its defeat.

Q.—Well, do you know whether they did work for its defeat?

A.—Not of my own knowledge, no, sir.

Q.—That was your understanding gathered from these gentlemen who held these meetings?

A.—Well, I couldn't answer that, no, sir.

Q.—The general proposition was discussed?

A.—This meeting wasn't held for that purpose; this meeting was held primarily to get this fund in order that we could pay back debts owing to these individuals.

\* \* \* \* \*

Q.—All right—let's get back to 1912. Do you recall approximately about what amount the stockholders of the Galveston Brewing Company paid in that year?

A.—I couldn't give it to you, no sir.

Q.—You have no idea about it?

A.—No, sir.

Q.—Try to refresh your memory about it—there are some letters in the record, I believe, that mention 15 cents a barrel basis?

A.—There were several assessments made against the respective breweries, to be obtained from the individual stockholders.

Q.—The purpose of that fund, whatever the amount was, was to be used in a general way in the election of that year, wasn't it?

A.—Yes, sir, I presume so.

Q.—Now, 1914. You have already testified that it is supposed that this fund raised this year was to take care, in part at least, of debts incurred last year?

A.—Yes, sir.

Q.—Was there any payments made last year by those interested in your company?

A.—Yes, sir.

Q.—Do you remember about what it was?

A.—I don't think it was over three or four thousand—I am not sure.

Q.—Was there any particular basis?

A.—Based on the amount of business.

Q.—Do you remember what that was; how much a barrel, say?

A.—Well, if it was four thousand dollars, it would be about 10 cents—that is, basis of annual sales.

Q.—Do you know of any other fund being derived from any other source for use during those campaigns?

A.—No, sir.

Q.—You have no knowledge about what the contributions were, if any, prior to 1912?

A.—Nothing at all.

Q.—You were not connected then with the brewery?

A.—No.

Mr. Keeling: Do you know, Mr. Adoue, what the aggregate amount was that was raised for 1914 from the several individuals?

A.—I couldn't answer that.

Q.—Do you know from hearsay?

A.—No, sir.

Q.—Was there anybody else, Mr. Adoue, that received part of these funds for 1915, or did you receive them all?

A.—I got them all from the six individual stockholders of the breweries.

Q.—Who received the funds for 1912—I believe Mr. Autrey testified that he did?

A.—Either Mr. Autrey or Mr. Morgan, I couldn't say.

Q.—And now 1914?

A.—Either Morgan or Autrey.

#### WAHRMUND'S TESTIMONY.

On December 13th, 1915, Otto Wahrmund, president of the San Antonio Brewing Association, testified as follows:

Q.—Explain fully and in detail the funds raised during 1915, stating fully the total fund and proportion of each contributor; when it was raised and for what purpose and to whom it was paid.

A.—Mrs. Otto Koehler, myself, Oscar Bergstrom, John J. Stevens, C. T. Priest, H. C. Koehler and S. G. Newton, being all the stockholders of the San Antonio Brewing Association, individually raised during 1915, \$12,500, which was paid to Mr. L. A. Adoue, as trustee for the fund. I do not know upon what basis the assessment was made, whether upon the barrelage or some other standard or whether it was arbitrarily fixed by the brewers who attended the meeting, which was frequently done in raising funds. I am quite certain it is not contemplated to have any further payments made to this fund. The past due accounts, so far as I know, was on account of \$4,000 owing Mrs. Otto Koehler, as executrix of the estate of Otto Koehler, deceased, for moneys advanced by him on account of the election of 1914, and



some amounts due me for advances I had made at different times, and numerous other small amounts that I cannot remember in detail, but aggregating, with the Koehler amount, about \$7,000. Mr. Adoue sent me of this amount \$32,000 to hold as trustee for the contributors. This is as definite as I can be in answering this question at the present time. My understanding is that several persons interested in Texas breweries contributed to this fund.

Wahrmund testified again about this matter on December 21st, 1915, as follows:

Q.—I want to ask you, Colonel Wahrmund, about the contribution or the fund that was raised this year partially for the purpose of defraying expenses incurred during the 1914 campaign. Mr. Adoue stated in this testimony that about approximately \$32,000 of that money was sent to you?

A.—Yes, sir.

Q.—Now, Colonel Wahrmund, what did you do with the money?

A.—Well, I paid out \$7,000 and there is still \$25,000 in bank.

Q.—That was your testimony before?

A.—Yes.

Q.—What is to be done with that \$25,000?

A.—That is left entirely with the owners of that money.

Q.—Why did they remit you \$32,000?

A.—Well, I will tell you, there are several reasons for that. I can only say, Mr. Adoue said he didn't care to have the custody—you might say, the responsibility—of all this money if anything should happen to him, and he thought he would divide up.

Q.—Mr. Adoue testified that he remitted this money in part on account of the indebtedness that had already accrued on account of the 1914 campaign?

A.—Yes.

Q.—Was any part of this money ever contemplated to be used

A.—We talked about loaning money for making an investment as a loan?

for a certain party, either in the purchase of an interest in a bank in Houston, or buying stock in a surety company located, I think, in Denison, and also a surety company in Waco. After Governor Colquitt went out of office—he being my personal friend—I asked him what business he was going to engage in, and he spoke of the bank above referred to and the two insurance companies, one of which was located at Denison by the name of the Southwestern Surety Insurance of Oklahoma-Texas, headquarters Denison. He already owned stock—at least he told me he already owned stock—in said company. We discussed the question loaning him money for the purpose of acquiring more stock in the company that he already had stock in, or a reasonable amount to purchase an interest in the bank or the Waco insurance company, and a part of this money was raised for this purpose; but the bank stock required so much money that was given up entirely and so was the Waco company. I want it distinctly understood that the idea was not to give Governor Colquitt any money, but to loan it to him for the purpose of starting in business—that is, to buy stock,

if he saw fit, or invest it in such manner as he saw fit. The matter has not gone any further than our contemplating doing this from the fact that he has entered politics again as candidate for United States Senator. The money that I have on hand and deposited in bank, which I have testified about, was to be used for that purpose, for making this loan, but it was not made and we have not determined what disposition to make of it.

Letter American Brewing Association to W. J. Althans, Anheuser-Busch Brewing Association (6-6-14):

"Have not retained anything for Adoue. He expects recipients to remit to him half of amount of checks." (A-3857.)

Letter W. J. Althans to Zane Cetti, Fort Worth (7-10-14):

"Referring to my letter of the 8th, I enclose herewith New York exchange for \$2,214, contribution I have collected as per memo. contained in my letter.

"In order to relieve you of perhaps undersired connection, I have endorsed them to Mr. Morgan, and will ask you to kindly transmit to him in due course. It will perhaps surprise that I succeeded, but you know where there is a will there's generally found a way, and I trust you and Weeden will join us in contributing 3 per cent and hope to hear from you that same has been done.

"I wired you this morning to hurry up the list for the Busch interests, and as soon as received I will try to get that in shape. Awaiting your further advices, I remain." (TT-56-57.)

#### WHAT THE BOOKS SHOW.

The following are entries taken from the books of the Houston Ice and Brewing Company at Houston, Texas:

##### DEBIT.

Entries from general ledger Houston Ice and Brewing Company, No. 7, page 373—1902.

H. Hamilton.

Aug. 21—By prohibition, Conroe .....	14	\$	25.00
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##### CREDIT.

1903—Page 376:

Feb. 5—By prohibition .....	102		95.00
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##### DEBIT.

1903—Page 377:

May 2—Cash, H. Prince.....	158		2,000.00
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##### DEBIT.

1903—Page 378:

June 23—Cash, Koehler-Wahrmund .....	192		2,500.00
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##### CREDIT.

1903—Page 380:

Sept. 20—Cash, check Dallas Brewing Co.....	49		2,350.00
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Sept. 24—Cash, check H. Prince.....	52		696.35
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## DEBIT.

R. L. Autrey.

1903—Page 386:

July 23—Cash, Holt campaign.....	19	25.00
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## DEBIT.

R. L. Autrey.

1903—Page 387:

Nov. 4—Cash, Urwitz campaign .....	100	25.00
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## DEBIT.

Entries from general ledger Houston Ice and Brewing Company,  
No. 7. Page 503:

1903.

## PROHIBITION ACCOUNT.

Jan. 17—Cash to Morgan .....	98	\$ 1,300.00
Jan. 27—Elect. Alvin .....	101	50.00
Jan. 29—Morgan .....	102	750.00
Feb. 1—Morgan, account transfer .....	159	200.00
Feb. 2—Hempstead .....	106	50.00
Feb. 5—Cash .....	107	95.00
Feb. 20—Cash .....	114	200.00
Feb. 21—Cash, Hempstead .....	115	6.00
Feb. 21—Cash, Morgan .....	115	750.00
Feb. 24—Cash, Hempstead .....	116	9.00
March 13—A. C. Oppermann .....	3	100.00
April 6—Expense Jones .....	139	4.00
April 29—Louis Dreen Henderson .....	154	100.00
May 20—W. R. Bolin, Orange .....	42	100.00
May 5—Printing ballots, Paget, Dallas.....	159	4.00
May 27—S. H. Hudgins, Velasco.....	172	75.00
May 29—J. H. Hartzog, Hearne.....	48	150.00
June 2—Harrisburg .....	177	50.00
June 6—C. H. Walker, Harrisburg .....	180	100.00
June 8—Lipscomb, Hempstead .....	181	30.00
June 8—N. O. Jones, Harrisburg .....	181	75.00
June 12—Harrisburg campaign .....	184	50.00
June 12—Harrisburg campaign .....	184	128.00
June 6—M. Skornpuiski, Walker Co.....	57	100.00
June 16—Calvert, Robertson County .....	61	50.00
June 18—N. O. Jones, Harrisburg .....	189	134.85
June 30—O. Paget, trip to Calvert.....	1	10.70
July 2—O. Paget, trip to Calvert.....	3	26.45
July 2—Cash, Marshall, Bernstein .....	6	100.00
July 6—Cash, Max Andrews, Labor Journal.....	5	100.00
July 10—Cash, A. C. Gray, 1,000 ballots.....	8	1.25
July 13—Cash, Henderson .....	10	25.00
July 15—Cash, O. Paget, Marshall.....	12	67.00
July 16—Cash, E. Muncey .....	12	30.00
July 13—A. C. Oppermann, 3,000 circulars.....	79	6.00
July 18—Bolin draft, Orange .....	14	50.00
July 18—Donohoo, Falls County .....	15	100.00



July 18—B. Adoue, half due Morgan, June.....	15	412.10
July 21—O. Paget, Williamson County.....	16	18.65
July 22—H. Prince .....	18	150.00
July 22—H. Luedde, Waco .....	18	25.00
July 22—Judge N. F. Turney, Robertson County....	18	10.00
Aug. 4—Robertson County, A. Busch & Co.....	28	50.00
Aug. 22—A. C. Oppermann, Anderson County.....	40	250.00
Aug. 22—Aug. A. Busch & Co., draft.....	40	7.50
Aug. 29—B. Adoue, balance June assessment.....	44	412.10
Aug. 29—Collins & McKewen, Angelina County....	44	30.00
Aug. 31—W. J. Edwards, Angelina County.....	46	30.00
Aug. 31—O. Paget, Palestine, \$6,378.68.....	46	50.00
Sept. 3—R. E. Hannay, services Montgomery.....	51	50.00
Sept. 8—O. Paget, Palestine .....	54	70.50
Sept. 18—Arwitz campaign .....	62	500.00
Sept. 12—J. D. Ezell, \$7,049.18.....	122	50.00
Oct. 23—A. A. Busch & Co., Waco, draft.....	90	6.00
Oct. 29—B. F. Florence, Diboll.....	154	30.00
Oct. 31—G. H. Luedde, Waco .....	97	10.00
Nov. 18—G. H. Luedde, Waco.....	110	7.50
Dec. 14—J. H. Swope, Montgomery County case....	122	4.00
Dec. 24—Half printing 2,000 copies Labor Journal..	134	50.00
Dec. 31—H. Hamilton .....	212	600.00

## CREDIT.

June 29—American Brwg. Assn., Harrisburg.....	72	243.92
Dec. 31—Loss and gain .....	214	7,756.68

## DEBIT.

Entries from general ledger Houston Ice and Brewing Company,  
No. 8. Pages 438 and 439.

1904.

## PROHIBITION EXPENSE.

Jan. 2—Paget, Lufkin and Nacogdoches.....	143	\$ 37.50
Jan. 11—Wells-Fargo Co., delivery pkg. from Dallas.	149	34.85
Jan. 13—B. Adoue .....	150	425.80
Jan. 15—B. Adoue, balance June assessment.....	151	824.20
Jan. 16—Exp. chgs. on poll tax notices from Dallas.	152	2.20
Jan. 20—O. Paget, expense at Marshall.....	154	48.95
Jan. 22—Max Andrews .....	156	100.00
Jan. 25—W. J. Stevensen, Dallas .....	157	140.29
Jan. 23—E. J. Cavileer .....	156	35.00
Jan. 26—Max Andrews .....	158	100.00
Feb. 20—B. Adoue, July assessment.....	175	1,680.40
Feb. 24—American Brewing Association.....	242	603.80
March 3—H. Hamilton, political expense.....	184	300.00
March 12—N. B. Chancey, 1/4 fee J. B. Brockmann...	190	17.40
March 29—Chronicle, pub. brewers' resolutions.....	2	40.25
April 5—Poll tax list, Harris County.....	9	10.00
May 13—B. Adoue, August assessment.....	42	1,694.60
June 12—B. Adoue, September assessment.....	69	1,637.00

## FUNDS

185

July 6—J. B. Hooks .....	100	100.00
July 11—H. Hamilton, 6 mos. to 6-30-04.....	344	500.00
Aug. 5—J. J. Moody .....	367	2.80
Aug. 31—T. Bennett, Mexia, ch'man Limestone Co..	154	100.00
Sept. 7—Limestone County, cash H. H. to Paget...	161	50.00
Sept. 14—B. Adoue, October, 1903, assessment.....	169	1,498.30
Sept. 19—O. Paget, draft, 9-14, account Bay City...	173	75.00
Sept. 20—A. Barttlinger, account Brunner.....	174	10.00
Sept. 21—Brunner campaign, Schopmeyer.....	175	75.00
Sept. 28—Wm. Kenedy, services Bay City, half.....	183	54.50
Sept. 28—Wm. Kenedy, services Brunner, half.....	183	12.50
Sept. 29—J. W. Ward, services Matagorda Co., half..	183	60.50
Sept. 29—O. Paget, expense Matagorda Co., half....	184	133.75
Sept. 30—Exp. chgs. on banners from Bay City....	186	.75
Oct. 4—Brunner camp., H. A. Schopmeyer .....	191	75.00
Oct 12—Brunner camp., H. A. Schopmeyer.....	199	117.15
Oct. 14—Cargill Co., hand bills, Brunner.....	201	1.50
Oct. 25—O. Paget, Matagorda, \$30; Crosby, \$15....	11	45.00
Nov. 14—W. S. Holman, Matagorda County.....	30	50.00
Nov. 21—American Brewing Association, overcharge Matagorda County .....	56	124.37
Nov. 21—American Brewing Association, overcharge Limestone County .....	56	25.00
Nov. 30—Paget, Matagorda injunction case.....	44	20.00
Dec. 1—B. Adoue, November, 1903, assessment....	46	1,175.80
Dec. 13—J. S. Nugent .....	55	50.00
Dec. 16—Half charge to Lone Star Brewing Com- pany, Matagorda .....	78	81.57
Dec. 23—J. E. Hustetter, Bay City .....	63	8.00
Dec. 31—A. B. A., half expense Crosby.....	103	150.00
Total .....		\$12,328.73
1905.		
Jan. 4—Max Andrews, half .....	71	\$ 125.00
Jan. 13—B. Adoue, December, 1903, assessment.....	78	1,055.10
Jan. 14—W. R. Bolin, Orange, assessment.....	78	75.00
Jan. 18—S. M. Winters, Bryan, assessment.....	81	60.00
Jan. 23—H. W. Bendy Sr.....	84	25.00
Jan. 29—McKinney .....	88	15.00
Jan. 30—H. S. Schopmeyer .....	89	50.00
Jan. 31—Bartenders' Union poll tax.....	89	25.00
Jan. 2—I. Simmons, Mart, Texas.....	112	99.75
Feb. 4—Tharp and Griffith, colored antis.....	94	30.00
Feb. 8—Current Issue, 100 copies.....	96	5.00
Feb. 8—Daily Harpoon .....	96	8.80
Feb. 10—W. F. Duer .....	97	50.00
Feb. 11—R. L. Autrey, Austin.....	98	68.00
Feb. 13—J. Adoue, Robertson County.....	99	60.00
Feb. 13—W. F. Duer, Waller County.....	99	10.87
Feb. 14—Enterprise Pub. Co., 10 copies.....	102	.50

Feb. 18—B. Adoue, January, 1904, assessment.....	104	908.65
Feb. 18—A. C. Oppermann, poll tax.....	132	25.00
March 5—Cash, 100 copies Rice & C. Journal.....	116	10.00
March 23—Cash, check W. K. Ford, DeRidder, La...	130	25.00
March 25—Cash, draft, 3-22, M. C. Harris, El Paso..	132	50.00
March 26—Cash, 200 copies Nat. Rice and Cotton Journal . . . . .	132	20.00
March 17—Cash, B. Adoue, February assessment...	126	1,119.80
March 28—Cash, Cedar Bayou Oil Co., 100 shares..	134	100.00
March 30—Cash, C. R. entertainment members Leg.	135	36.95
April 1—Cash, check C. W. Booth.....	139	23.50
April 8—Cash . . . . .	144	25.00
April 13—Bottle beer, two cask, rept. pts. to N. V. O., Austin . . . . .	172	18.00
April 16—Beer account 5-4s to W. J. Williams, Hemp- stead . . . . .	173	10.00
April 16—Ice account 100 pounds to W. J. Williams, Hempstead . . . . .	173	.40
April 26—Cash, B. Adoue, March assessment.....	159	1,509.40
May 3—Cash, Judge Canna, Waller County.....	165	10.00
May 19—Cash, B. Adoue, April and May assessment.	179	3,008.60
June 14—Cash, G. Golman . . . . .	200	20.00
July 6—Cash, E. Clauss, assmt., 1904, one-fourth..	224	222.26
July 12—Cash, J. A. Calvert campaign fund.....	228	150.00
July 27—Cash, B. Adoue, June, 1904, assessment...	243	1,875.80
July 28—A. M. Carson, Willis, L. D. tel.....	233	.50
Aug. 18—Cash, U. S. Brewers' Association extra assessment year ending 12-31-04.....	16	822.00
Aug. 18—Cash, U. S. Brewers' Association special assessment year ending 4-1-05.....	16	83.40
Sept. 3—R. L. A., sundries.....	261	198.00
Sept. 12—Cash, B. Adoue, July, 1904.....	41	1,759.05
Sept. 19—Cash, V. V. Daniels.....	47	10.00
Sept. 11—O. Paget, two casks, rep. pts., Hearne....	263	21.00
Nov. 9—Cash, B. Adoue, Aug., 1904, 20c per bbl...	93	1,691.15
Nov. 27—Cash, Tony rec'g . . . . .	107	10.00
Nov. 30—Cash, Col. Lamm . . . . .	109	4.00
Nov. 30—Transfer from Brewers' Exchange, B. Adoue, 5-21-05 . . . . .	302	1,568.30
Dec. 30—Cash, B. Adoue, September, 1904.....	126	1,773.40
Dec. 28—Cash, A. B. A., account negro com., 8-05...	133	15.00
Total . . . . .		\$18,887.18

## CREDIT.

Entries from general ledger Houston Ice and Brewing Company,  
No. 8. Pages 438 and 439.

1904.

## PROHIBITION EXPENSE.

Jan. 15—B. Adoue, check, 1-13, returned.....	130	\$ 425.80
Jan. 30—Cash, A. B. Langerman.....	138	30.00



Feb. 19—Cash, Lemp Brewing Co., 1-3, Paget, Marshall . . . . .	152	24.65
Feb. 20—Stevens, 1-3, Paget, Marshall . . . . .	153	24.65
Sept. 17—American Brewing Assn., Limestone Co. . . . .	8	50.00
Sept. 20—Cash, Brewers' Association . . . . .	116	367.59
Nov. 21—Lone Star Brewing Co., 1/4, Matagorda Co. . . . .	56	163.13
Nov. 21—San Antonio Brewing Assn., 1/4 Matagorda County . . . . .	56	163.13
Nov. 21—American Brewing Assn., 1/2, Limestone Co . . . . .	57	50.00
Nov. 21—American Brewing Assn., 1/2, Crosby Co. . . . .	57	7.50
Nov. 21—American Brewing Assn., 1/2, Brunner Co. . . . .	57	139.71
Nov. 21—American Brewing Assn., 1/4, Matagorda Co. . . . .	57	38.75
Dec. 31—Loss and gain . . . . .	108	10,843.82
1905.		
Feb. 24—Cash, Tharp and Griffith, col. antis, Conroe . . . . .	23	30.00
May 21—Cash, B. Adoue . . . . .	83	1,568.30
Dec. 31—Loss and gain . . . . .	328	17,288.88

## DEBIT.

Entries from general ledger Houston Ice and Brewing Company,  
No. 9. Pages 574 and 575.

1906.

## PROHIBITION EXPENSE.

Jan. 12—Cash, H. Hamilton . . . . .	1215	148	\$	50.00
Jan. 20—Cash, A. W. Teyder . . . . .	1368	154		10.00
Jan. 22—Cash, E. L. Dreeben, Henderson. . . . .	1383	155		100.00
Jan. 23—Cash, P. T. . . . .	1400	155		5.00
Jan. 27—Cash . . . . .	1470	158		20.00
Jan. 31—Cash, Brunner entertainment . . . . .	1546	160		67.00
Jan. 31—Cash, sundries . . . . .	1546	160		7.50
Feb. 10—Cash, B. Adoue, assmt. 1904, 20c bbl. . . . .	2160	168		1,555.25
Feb. 18—Cash, George D. Neal. . . . .	2362	174		25.00
Feb. 20—Cash, Tamborello . . . . .	2396	175		5.00
Feb. 21—Cash, George D. Neal, Navasota. . . . .	2408	176		25.00
Feb. 27—General expense transfer Tollivar. . . . .	350			150.00
Feb. 28—C. R. Tollivar, Bmt. local option. . . . .	350			50.00
March 6—Cash, Waller County tax. . . . .	3142	185		50.75
March 10—Cash, check B. Adoue, edu. fund. . . . .	3240	188		1,125.20
March 16—Cash, P. T.'s. . . . .	3392	193		10.00
April 5—Cash, B. Adoue, assessment. . . . .	4125	211		986.70
May 4—Cash, B. Adoue, assmt. Jan., 1905. . . . .	5007	4		818.75
May 30—Cash, B. Adoue, education fund. . . . .	5769	26		5,284.30
June 19—Cash, A. Lilber, Indianapolis. . . . .	6727	46		205.00
July 24—Cash, Charles Ander at Groveton. . . . .	7834	80		15.10
Aug. 10—Cash, Perkins & Emanuel, defending suits . . . . .		96		25.00
Aug. 11—Cash, B. Adoue, assmt. June, 1905. . . . .	8401	98		1,651.40
Aug. 23—Cash, E. B. Parker, labor organizat'n . . . . .	8739	108		200.00
Aug. 31—H. Hamilton . . . . .		435		600.00
Sept. 7—Cash, E. Pollock, Caldwell. . . . .	9263	122		35.00
Sept. 15—Cash, B. F. Florence, Burkes. . . . .	9545	130		50.00

Sept. 15—Cash, B. Adoue, assmt. July, 1905...	9551	130	1,794.40
Sept. 27—Cash, Perkins & Emanuel, Rusk...	9943	141	75.00
Sept. 28—Cash, J. G. Palmer, Leesville, La...	9971	142	25.00
Oct. 1—Cash, trip Groveton, Camden.....	10044	146	20.00
Oct. 19—Cash, assessment June, 1905.....	575	161	1,889.60
Dec. 3—Cash, assessment Sept., 1905.....	11538	191	1,794.10
Dec. 4—Cash, Wheeler & Clough, Trinity Co.	559	192	35.00
Dec. 22—Cash, J. B. Rayner, Christmas.....	978	204	25.00

Total . . . . . \$18,740.05

1907.

Jan. 7—Cash, Capt. Padgett to Austin.....	110	217	\$ 45.00
Jan. 17—Cash, Capt. Padgett to Austin.....	378	227	125.00
Jan. 18—Cash, John Marshall, rice men.....	412	227	50.00
Jan. 23—Cash, Wheeler & Clough.....	500	230	450.00
Jan. 23—Cash, Capt. Padgett.....	507	230	160.00
Jan. 26—Cash, Assessment October, 1905....	578	232	1,491.70
Jan. 28—Cash, adv. labor organization.....	583	232	10.50
Feb. 14—Cash, V. V. Daniels.....	933	7	50.00
Feb. 14—Cash, Capt. Padgett.....	952	8	50.00
Feb. 14—Cash, assmt. sales. Nov., 1905.....	953	8	1,271.90
Feb. 18—Cash, adv. Melton Everett.....	1046	10	50.00
Feb. 20—Cash, Matagorda County .....	1106	12	50.00
Feb. 28—Cash, assessment October, 1905....		16	951.15
March 1—Cash, stenographer, Trinity cases.	1260	19	127.80
March 16—Cash, assmt. Jan. and Feb., 1906..		30	2,129.95
March 25—Cash, Order R. L. A.....	1815	35	100.00
April 16—Cash, assmt. March, 1906.....	2391	56	1,339.00
May 14—Cash, P. M. Curry, Waller County..	3017	77	50.00
May 17—Cash, T. H. McGregor.....	3097	80	250.00
May 24—Cash, J. B. Rayner.....	3234	84	50.00
May 24—Cash, assmt. May, 1906.....	3251	84	3,359.10
May 24—Cash, O. Padgett, adv. G. D. Hunter.	3252	84	250.00
June 4—Cash, P. M. Curry, Waller County..	3460	93	125.00
June 5—Cash, R. E. Hanney, Waller County.	3485	93	500.00
June 18—Cash, J. B. Rayner.....	3804	103	150.00
June 24—Cash, S. L. Gorden .....	3942	106	100.00
June 27—Cash, assmt. June, 1906.....	4021	109	2,175.50
June 25—Marten Holm, Mexia, balance at- torney's fee, etc.....	595	111	100.00
July 15—Cash, atty. fees, Brazoria County...	4314	125	100.00
July 19—Cash, 1-3 exp. Limestone County....	4564	129	232.03
July 24—Cash, J. B. Rayner .....	4652	132	30.00
July 31—Cash, R. L. Autrey.....	4786	139	100.00
Aug. 15—Cash, A. Paget, Cleveland & Liberty	5269	157	50.00
Aug. 18—Cash, assmt. July, 1906.....	5271	157	550.90
Aug. 31—H. Hamilton, expense to 7-30-01....	864	149	1,300.00
Sept. 20—Cash, Sam Keller, 1/2 atty. fees Hian		187	25.00
Sept. 29—Cash, O. Paget to Lake Charles....	6132	191	25.75
Sept. 30—Cash, assmt. August, 1906.....	6164	192	543.75

## FUNDS

189

Sept. 30—A. J. Reid, expense Lake Charles...	1007	170	75.00
Oct. 5—R. L. Autrey, account Grayson Co...	1032	176	250.00
Oct. 28—Cash, V. V. Daniels.....	6685	207	25.00
Oct. 28—Cash B. Adoue.....	6699	207	550.00
Oct. 29—Cash, railroad ticket to Dallas.....	6711	207	8.70
Nov. 11—Cash, exp. A. L. Autrey to Bmt.....	6946	218	53.40
Nov. 20—Cash, V. V. Daniels, Taylor.....	7100	223	50.00
Nov. 27—Cash, V. V. Daniels, Taylor.....	7220	226	50.00
Nov. 29—Cash, assmt. October, 1906.....	7242	227	482.20
Dec. 6—Cash, V. V. Daniels, expense Taylor.	7349	231	72.80
Dec. 30—Transfer from Brewers' Assn. fol...	583		1,000.00
Dec. 27—Cash, assmt. November, 1906.....	7708	241	423.55
Dec. 31—Charles Rogers, Taylor anti fund...	1258	205	100.00
Dec. 31—Cash, assmt. October, 1906.....	7782	244	399.25
Dec. 31—Transfer from Brewers' Assn.....	220		894.90

Total . . . . . \$23,203.83

## CREDIT.

Entries from general ledger Houston Ice and Brewing Company, No. 9. Pages 574 and 575.

## 1906. PROHIBITION EXPENSE.

Sept. 13—Cash refund E. Pollock.....	62	\$	25.00
Dec. 31—L. & G. ....	..		18,715.05

Total . . . . . \$18,740.05

## 1907.

Aug. 7—Cash, Am. Brg. Assn., acct. Freestone Co.	4	\$	125.00
Oct. 30—A. B. A. 1/2 adv. P. M. Cuney, acct. Waller County . . . . .	184		87.50
Oct. 30—A. B. A. 1/2 adv. R. E. Hanney, acct. Waller County . . . . .	184		250.00
Nov. 13—Cash, San Antonio, acct. Brg. Assn, acct. Anthony . . . . .	75		17.80
Nov. 21—Cash, Am. Brg. Assn., acct. Anthony.....	79		17.80
Dec. 31—Loss and gain . . . . .	228		22,705.73

Total . . . . . \$23,203.83

## DEBIT.

Entries from general ledger No. 10, Houston Ice and Brewing Company. Page 590.

## 1908. PROHIBITION EXPENSE.

Jan. 20—Cash, V. V. Daniels, San Jacinto Co.	8	176	\$	18.95
Jan. 20—Cash, V. V. Daniels, East Texas.....	8	176		38.00
Jan. 20—Cash, I. H. McGregor to Dallas, Wood case . . . . .	8	206		22.50
Jan. 30—A. B. Assn., 1/2 check H. H., Waller County . . . . .	239	1364		62.50



Jan. 31—H. I. & B. Co., Galv. adv. to O. Paget, P. T. exp.....	242	1378	75.00
Feb. 3—Cash, V. V. D., exp. Bmt., distr'g ordinances . . . . .	17	438	84.40
Feb. 19—Cash, J. Frankel, Crowley, La., ex... .	26	748	100.00
Feb. 19—H. I. & Brg. Co., Bmt., to V. V. Dan- iels, 2-12-08 . . . . .	248	1406	25.00
Feb. 28—H. I. & Brg. Co., Bmt., to V. V. Dan- iels, 2-17-08 . . . . .	249	1418	15.00
March 8—Cash, O. Paget, advertising mov- ing pictures, Lake Charles . . . . .	37	1088	25.00
April 18—J. A. Budd Co., donated L. O. cam- paign com. . . . .	275	1584	100.00
May 14—Cash, Postage stamps, acct. petitions	82	2496	.....
May 15—Cash, O. Paget, expense Cleveland..	83	2539	32.50
May 25—Cash, J. W. Parker, acct. Brookshire	89	2739	75.00
May 25—Cash, J. B. Rayner.....	89	2740	20.00
May 28—Cash, J. B. Rayner.....	90	2787	50.00
May 10—E. G. Pitts, adv. to Daniels, Mch....	290	1772	75.00
July 18—Cash, H. F. Fox, secretary U. S. Brewers' Association . . . . .	133	3998	900.00
July 18—Cash, B. Adoue, assmt. June, 1908, H. H. . . . .	...	3999	2,200.00
Aug. 21—Cash, B. B. C. Co., 1,600 Mfg. & Farmer Alm. . . . .	162	4916	50.00
Aug. 21—A. Sandaloski, Tyler . . . . .	340	....	25.00
Sept. 1—Cash, assmt. H. Hamilton.....	166	4954	.....
Sept. 2—Cash, J. B. Rayner.....	...	4959	40.00
Dec. 31—J. B. Bisland . . . . .	396	2577	100.00

Total . . . . . \$ 4,133.85

1909.

March 12—Cash, O. Paget, acct. Kingsville...	40	1158	\$ 100.00
May 10—Cash, W. C. Reinhard . . . . .	77	2355	87.50
May 10—Cash, H. F. Marr to labor com.....	..	2348	25.00

Total . . . . . \$ 462.50

#### CREDIT.

Entries from general ledger No. 10, Houston Ice and Brewing Company. Page 590.

1908.

#### PROHIBITION EXPENSE.

Sept. 30—Transfer to H. Hamilton personal..	352	....	\$ 2,200.00
Sept. 30—Transfer to genl. expense acct.....	..	....	900.00
Dec. 31—Transfer to keg beer.....	411	....	1,033.85

Total . . . . . \$ 4,133.85

1909.

Dec. 31—Transfer to keg beer . . . . .	95	....	\$ 462.50
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Total . . . . . \$ 462.50

## DEBIT.

Entries from general ledger No. 10, Houston Ice and Brewing Company. Page 232.

## 1908. R. L. AUTREY, SPECIAL ACCOUNT.

Jan. 1—Balance from Ledger No. 9, folio....	216	....	\$ 2,461.40
April 30—Rents transferred to R. E. acct....	285	....	200.00

Total . . . . .			\$ 2,661.40
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## 1909.

July 1—Amount from folio.....	233	....	\$ 4,761.35
July 1—Cash, J. B. Hooks.....	114	350	250.00
July 6—Cash, W. L. Radney, Waco. ....	116	3604	100.00
July 14—Cash, see R. L. A. personal check \$2,527.36 . . . . .	122	3801	1,000.00
Aug. 1—Cash, draft A. M. Blackman.....	141	4193	1,000.00
Aug. 12—Cash, B. Adoue.....	153	4461	2,500.00
Aug. 17—Cash, B. Adoue.....	157	4570	1,903.00
Aug. 23—Cash, W. B. Howard, N. Y. ex.....	161	4708	250.00
Aug. 30—Cash, self to Chicago.....	166	4825	200.00
Aug. 30—C. C. Highsmith . . . . .	..	4826	100.00
Sept. 3—Cash, N. P. Klowgard, Liberty.....	170	4924	70.00
Sept. 5—Cash, Shelby County.....	171	4979	500.00
Sept. 11—Cash, B. Adoue . . . . .	176	5135	2,500.00
Oct. 15—Cash, check B. Adoue.....	197	5857	2,500.00
Oct. 20—Cash, negro Baptist convention, V. H. McK. . . . .	199	5914	25.00
Oct. 20—Cash, negro Baptist convention, N. E. Robinson . . . . .	199	5915	30.00
Oct. 20—Cash, negro Baptist convention, R. W. B. Gould . . . . .	199	5916	10.00
Oct. 20—Cash, negro Baptist convention, J. V. Lewis . . . . .	199	5917	30.00
Oct. 23—Cash, negro Baptist convention, J. V. Lewis . . . . .	203	5998	20.00
Oct. 26—Cash, negro Baptist convention, bug- gies . . . . .	204	6019	18.50
Oct. 26—Cash, C. U. Love, adv.....	204	6020	20.00
Oct. 26—Cash, N. B. convention, L. Green....	205	6055	10.00
Oct. 26—Cash, N. B. convention, Johnson and McKinney . . . . .	205	6056	35.00
Oct. 26—Cash, R. W. Gould.....	205	6057	5.00
Oct. 26—Cash, self, Liberty County.....	205	6064	234.00
Oct. 26—Cash, self . . . . .	205	6065	2,100.00
Oct. 28—Cash, B. Adoue, Bell County.....	206	6089	371.00
Nov. 1—Cash, self . . . . .	209	6142	900.00
Nov. 12—Cash, B. Adoue . . . . .	216	6396	2,250.00
Nov. 16—Cash, Falfurrias . . . . .	218	6459	100.00
Nov. 20—Cash, self . . . . .	221	6589	500.00
Nov. 15—Cash . . . . .	217	6447	5,000.00

Nov. 26—Cash . . . . .	223	6670	500.00
Dec. 4—Cash, J. Brozda, Granger . . . . .	230	6837	100.00
Dec. 4—Cash, Houston Chronicle, acct. Gen. Hulen . . . . .	230	6838	75.00
Dec. 10—J. S. Fagan, 4½ days . . . . .	232	6923	13.50
Dec. 16—Cash, J. S. Fagan . . . . .	236	7017	5.00
Dec. 16—Cash, self . . . . .	237	7074	2,100.00
Amount to folio . . . . .	230	....	\$34,066.35

1908.

Jan. 22—Cash, draft P. Harlan . . . . .	9	240	\$ 200.00
Jan 24—Cash, A. A. Burch & Co. . . . .	11	266	150.00
Jan. 27—Cash, H. A. Shopmeyer . . . . .	12	300	50.00
Jan. 31—Cash, H. A. Shopmeyer . . . . .	15	392	60.00
Jan. 25—Beene & Ausley, P. T. expense . . . . .	238	1342	50.00
Feb. 18—Cash, V. V. Daniels . . . . .	25	702	86.00
March 7—Cash, ½ adv. to D. DeGeorge . . . . .	37	1071	7.50
April 8—Cash, C. B. Williams . . . . .	57	1719	200.00
July 3—Cash, Max Andrews . . . . .	122	3638	50.00
July 13—Cash, Houston Rice Exchange . . . . .	129	3868	20.00
Dec. 3—Cash, C. N. Love . . . . .	232	6930	50.00
Dec. 14—Cash, C. N. Love . . . . .	237	7143	30.00
Dec. 31—Cash, C. N. Love . . . . .	246	7533	30.00

Total . . . . . \$ 983.50

## DEBIT.

Entries from general ledger No. 10, Houston Ice and Brewing Company. Page 233.

1909.

## R. L. AUTREY, SPECIAL ACCOUNT.

Jan. 1—Balance . . . . .	..	....	\$ 110.00
Jan. 14—Cash, L. B. Kenchion . . . . .	5	139	20.00
Jan. 16—Cash, C. N. Love . . . . .	6	178	20.00
Jan. 20—Cash, self . . . . .	7	233	20.00
Jan. 22—Cash, draft Austin . . . . .	9	266	500.00
Jan. 29—Cash, H. A. Shopmeyer . . . . .	12	389	150.00
Jan. 31—Cash, C. N. Love . . . . .	14	423	20.00
Feb. 1—Cash, L. Schleninger . . . . .	16	450	50.00
Feb. 2—Cash, C. A. Wells . . . . .	16	460	100.00
Feb. 3—Cash, V. H. McKinney . . . . .	17	476	100.00
Feb. 4—Cash, W. Fahm . . . . .	17	492	202.10
Feb. 4—Cash, H. A. Wells, Waco . . . . .	24	709	100.00
Feb. 14—Cash, V. H. McKinney . . . . .	24	710	50.00
Feb. 14—Cash, Ewing . . . . .	24	....	7.50
Feb. 14—Cash, Fred Erickson . . . . .	24	....	10.00
Feb. 14—Cash, W. O. Calvert . . . . .	24	....	2.50
Feb. 14—Cash, L. B. Kenchion . . . . .	24	....	24.00
Feb. 14—Cash, L. J. Jones . . . . .	24	....	19.25
Feb. 14—Cash, W. Fahm . . . . .	24	....	65.00
Feb. 14—Cash, Ed H. Williams . . . . .	24	....	81.00



## FUNDS

193

Feb. 26—Cash, N. B. Chancey, Lufkin.....	31	917	50.00
March 16—Cash, draft John A. Hulen.....	42	1240	500.00
March 25—E. Tratt, pyt. E. Fields, Waco <del>Waco</del> .....	445	2772	260.00
April 26—Transfer from V. V. Daniels, exp. Austin . . . . .	460	2888	175.00
May 18—Cash, E. B. Wiggins, Tyler.....	82	2534	500.00
May 29—Cash, T. L. Childs, Teague.....	89	2784	250.00
May 31—Cash, H. F. Marr.....	90	2800	50.00
May 28—Cash, F. J. Richards to Wharton....	88	2744	5.00
May 28—Cash, J. B. Rayner.....	88	2745	20.00
June 4—Cash, R. Bergfield, Tyler.....	95	2924	500.00
June 9—Cash, R. Bergfield, Tyler.....	97	3026	500.00
June 30—Transfer from V. V. Daniels acct. Smith . . . . .	489	....	100.00
Amount to folio . . . . .	232	....	\$ 4,761.35

## CREDIT.

Entries from general ledger No. 10, Houston Ice and Brewing Company. Pages 232 and 233.

1908.

## R. L. AUTREY—SPECIAL

Jan. 22—Cash, J. S. Hollander, rent, Westlake.....	111	\$	50.00
Feb. 24—Cash, J. S. Hollander, rent, Westlake.....	127		50.00
March 13—Cash, J. S. Hollander, rent, Westlake....	139		50.00
March 31—Property at Westlake, La., transferred to brewery . . . . .	262		2,461.40
April 10—Cash, J. S. Hollander, April.....	157		50.00
Total . . . . .		\$	2,661.40

1909.

Amount from folio . . . . .	233	\$	335.00
July 12—Cash, check A. & L.....	159		3,248.99
Aug. 31—Cash, draft Blackman.....	176		1,000.00
Oct. 30—Cash . . . . .	236		2,850.00
Dec. 3—Cash, B. Adoue . . . . .	255		5,000.00
Amount to folio . . . . .	230		\$12,603.99

1908.

March 10—40 per cent Shopmeyer, charged Ameri- can Brewing Association.....	259	\$	44.00
Dec. 31—Rebate C. B. Williams, 4-8-08.....	413		200.00
Dec. 31—Genl. expense, Sunday outlays.....	413		579.50
Dec. 31—Advertising Labor Journal . . . . .	413		50.00
Dec. 31—Balance . . . . .			110.00
Total . . . . .		\$	983.50

1909.

Feb. 2—Cash, Am. Brg. Assn., Shopmeyer.....	55	\$	60.00
May 20—Cash, H. Prince, acct. Wiggins, Tyler.....	122		250.00
May 2—Cash, Am. Brg. Assn.....	123		25.00
Amount to folio . . . . .	232	\$	335.00

General ledger No. 14, 1914-15-16, Houston Ice and Brewing Association. Page 6.

1915.

### DIVIDENDS, 1915.

Feb. 11—Cash, E. B. Parker.....	Div'd No. 1	77	200	\$	2,000.00
Feb. 11—Cash, B. A. Riesner.....	Div'd No. 1	77	420		4,200.00
Feb. 11—Cash, Julia Hamilton....	Div'd No. 1	77	30		300.00
Feb. 11—Cash, Est. E. Raphael....	Div'd No. 1	77	18		180.00
Feb. 11—Cash, V. Lucia.....	Div'd No. 1	77	120		1,200.00
Feb. 11—Cash, Jos. F. Meyer.....	Div'd No. 1	77	180		1,800.00
Feb. 11—Cash, D. Rossi.....	Div'd No. 1	77	200		2,000.00
Feb. 11—Cash, J. H. Studdart....	Div'd No. 1	77	600		6,000.00
Feb. 11—Cash, F. Kalb.....	Div'd No. 1	77	1,200		12,000.00
Feb. 11—Cash, H. B. Rice.....	Div'd No. 1	12	200	City	2,000.00
Feb. 11—Cash, H. Hamilton.....	Div'd No. 1	41	6,500		65,000.00
Feb. 11—Cash, R. L. Autrey.....	Div'd No. 1	41	2,332		23,320.00

Totals . . . . .	12,000	\$120,000.00
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Page 222.

### R. L. AUTREY.

Nov. 25, 1914—Cash, T. H. McG. oil and gas permit . . . . .	20	611	\$	42.50
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Page 534.

### GENERAL EXPENSE.

Oct. 29, 1914—Cash, U. S. B. Assn. mem'ship.	3	102		3,200.00
Jan. 27, 1915—Cash, O. Paget . . . . .	66	354		50.00
Feb. 16, 1915—Cash, O. Paget.....	80	758		50.00
Feb. 11, 1915—H. Hamilton refund, pay to G. T. Voorhees . . . . .	41	534		3,000.00

Page 342.

### ADVERTISING ACCOUNT.

Dec. 31, 1914—Cash, Cuero Star, one year....	5	1508		50.00
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Page 692.

### BILLS RECEIVABLE.

Oct. 22, 1914—T. H. McGregor.....	..	690		2,600.00
Jan. 3, 1915—Cash, W. H. Gray, 90 days.....	55	148		2,000.00

Page 300.

### KEG BEER SALES, 1913.

Bottled, barrels . . . . .	33,271	\$	199,626.00
Sold in city . . . . .	57,827 $\frac{3}{4}$		452,547.80
Shipments . . . . .	77,788 $\frac{1}{4}$		528,065.78

Total . . . . .	168,887	\$1,190,239.58
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### KEG BEER SALES, 1914.

Bottled, barrels . . . . .	33,361	\$	201,496.50
Sold in city . . . . .	58,759 $\frac{1}{4}$		473,499.25
Shipments . . . . .	74,997 $\frac{1}{2}$		509,669.32

Total . . . . .	167,117 $\frac{3}{4}$	\$1,184,665.07
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Page 300.

Dec. 31, 1914—Transfer to loss and gain.....	\$357,923.76
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Page 306.

Dec. 31, 1914—Transfer to loss and gain.....	162,822.86
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General and country journal Houston Ice and Brewing Association.

Page 6.		NOVEMBER, 1914.		General Ledger Credits.	
Entry No.—Account.		Folio.			
373—American Brewing Association, Teague bar outfit in Philip's Saloon, agreement H. H. & H. Prince.....	100	\$300.00			
Page 11.					
4 ..—American Brewing Assn., frt. ac.....	630				
4 3852—Frt. 60-4, car 594 to Opelousas; 6,000, 22 .....		\$13.20			
5 3852—Frt. 32-2—55-4, car 58 to Navasota, 10,900, 16 .....		17.44			
9 3894—Frt. 3 casks, car 538 to Crosby; 750, 6..		.45			
10 3903—Frt. 10 casks, car 261 to Hempstead; 7,500, 13 .....		9.75			
13 3931—Frt. 30-2, car 276 to Humble; 5,400, 6..		3.24			
24 4007—Frt. 55-2—20-4, car 120 to Crowley; 1/2 Miss.; 2,640.....		26.40			
30 4050—Frt. 2 casks to Crosby.....		.30			
30 2423—Frt., empties for B. R.....		15.10			
Freight account .....		\$85.88	520	85.88	
Freight ac. A. B. ....			520		
3 3822—Frt. 25-4, 10 casks to Brookshire; 5,000, 11 .....		\$ 5.50			
12 3921—Frt. 30-4, 10 casks to Brookshire; 5,000, 11 .....		6.05			
23 3989—Frt. 20-2, to Humble; 3,600, 6.....		2.16			
26 4028—Frt. 25-2, to Hempstead, 1/2 Miss., 13...		6.50			
23 3988—Frt. 20-27, to Navasota; 10,600 Miss., 16		16.96			
American Brewing Assn.....		\$37.17	630	37.17	
Page 17. DECEMBER, 1914.					
21 ..—American Brewing Assn., grd. rent Sabine to October 31, 1915.....	630	15.00			
American Brewing Association Freight Account.					
Page 19.					
4 4075—Frt. 25-20—10-4, car 402 to Humble; 5,500; 6 .....	630	3.30			
24 4208—Frt. 50-2—30-4, 10 casks, car 124 to Abbeville; 14,300, 32.....		31.46			
31 4242—Frt. 10-2—40-4, car 369 to Navasota; 5,300, 16 .....		9.28			
Freight account .....	520	\$ 44.04			
Freight account A. B. Assn.					
1 4054—25-4, 12 casks to Brookshire; 5,500, 11.		6.05			
19 4170—50-4, 2 casks to Sabine; 5,460, 15.....		8.19			
26 4214—40-2, to Humble; 7,200, 6.....		4.32			
American Brewing Assn.....	630	\$ 18.56			



Book entitled "Cash Disbursements, 1907-08, Houston Ice and Brewing Company."

Page 2—

Date.	Vo.		Total Disbursements	General
1908.	No.	Folio.—Account	Bank.	Cash. Ledger.
Jan. 3	53	634 Salary account T. H. Mc-Gregor, January .....	\$125.00	..... \$125.00
1908—Page 8.				
Jan. 20	184	436 Expense on poll tax circulars for Dallas .....	.....	\$ 1.10 .....
1908—Page 8.				
Jan. 20	206	590 Prohibition expense Mc-Gregor to Dallas in Wood case .....	22.50	..... 22.50
1908—Page 13.				
Jan. 30	360	... Expense printing "Pay Your Poll Tax".....	8.50	..... .....
1908—Page 15.				
Jan. 31	402	72 Galveston branch, O. Paget .....	75.00	..... 75.00
1908—Page 17.				
Feb. 3	438	590 Prohibition expense at Bmt., acc. districting ordinance .....	52.45	31.95 84.40
1908—Page 17.				
Feb. 3	444	212 H. Hamilton, B. Adoue.	2,760.00	..... 2,760.00
1908—Page 16.				

#### RECAPITULATION, JAN., 1908.

	General ledger .....	\$36,062.92
206	Country ledger .....	3,334.66
200	City ledger .....	27.30
204	City loan ledger .....	24,419.51
210	Country ledger .....	21,009.80
342	Advertising .....	101.00
412	Empty bottles .....	1,294.02
374	Sacks and sawdust .....	3.05
370	Extra labor .....	195.70
456	City spendings .....	242.55
536	Int. dist. and exct.....	13.75
532	General expense .....	379.69
212	H. Hamilton .....	181.75
536	Exchange paid (rec. book).....	5.29
514	Freight .....	2,538.04
Total .....		\$89,809.03

1908—Page 20.

Feb. 7	..	535 General expense Rev.J. L. Griffin .....	.....	12.50 .....
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1908—Page 26.

Feb. 20	748	590 Prohibition expense, J.		
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## FUNDS

197

		Frankel, Crowley, La....	100.00	.....	100.00
1908—Page 26.					
Feb. 21	764 628	Expense Conservative			
		League dues, H. H., R. L.			
		A., J. H. S.....	.....	25.00	.....
1908—Page 27.					
Feb. 22	788 608	Prohibition expense, G.			
		C. Clough to Bmt.....	26.25	.....	26.25
1908—Page 28.					
Feb. 25	832 227	R. M. Brown, loan on 90-			
		day note (Wharton).....	100.00	.....	.....

1908—Page 33.

## RECAPITULATION, FEB., 1908.

	General ledger .....	\$55,883.95
206	Country ledger .....	2,846.75
200	City ledger .....	23.10
204	City loan ledger .....	11,204.03
210	Country ledger .....	910.50
342	Advertising ledger .....	287.65
412	Empty bottles .....	1,372.98
374	Sacks and sawdust .....	7.38
514	Freight .....	2,432.56
370	Extra labor .....	428.30
450	City spendings .....	290.35
536	Int. disct. and exct.....	17.64
532	General expense .....	713.07
213	H. Hamilton .....	160.00
536	Discount from receiving cash book.....	8.75

Total . . . . . \$76,587.01

1908—Page 37.

March 8	1088 590	Prohibition, O. Paget in			
		moving picture show,			
		Lake Charles .....	25.00	.....	25.00

1908—Page 40.

March 13	1184 634	Salary acct. T. H. Mc-			
		Gregor .....	125.00	.....	125.00

1908—Page 43.

March 18	1295 626	Texas Brewers' Assn.,			
		J. B. Rayner .....	50.00	.....	50.00

March 18	1302 608	Prohibition expense, G.			
		C. Clough, acct. Spindle			
		Top case .....	50.00	.....	50.00

1908—Page 46.

March 24	1425 626	Brewers' Assn., G. S.			
		King, Nacogdoches ...	100.00	.....	100.00

1908—Page 52.

## RECAPITULATION, MARCH, 1908.

	General ledger .....	\$ 63,083.14
206	Country ledger .....	2,619.02

200	City ledger .....	35.50
204	City loan ledger.....	20,455.73
210	Country ledger .....	2,031.03
342	Advertising . . . . .	346.96
412	Empty bottles .....	1,790.88
374	Sacks and sawdust.....	19.00
514	Freight . . . . .	7,584.29
370	Extra labor .....	938.75
456	City spendings .....	265.35
536	Int. disct. and exch.....	9.44
532	General expense .....	660.37
213	H. Hamilton .....	185.00
536	Exchange paid .....	12.43
Total . . . . .		\$100,036.89

Page 55—

April 4, 1908, voucher No. 1645, folio 532, general expense, U. S. Brewers' Assn., dues one year, \$270.

Page 63—

April 17, 1908, voucher No. 1961, folio 214, H. Hamilton, B. Adoue & Co., \$1,350.

Page 67—

April 24, 1908, voucher No. 2089, folio 758, N. Q. Henderson, loan, \$650.

Page 73—

#### RECAPITULATION, APRIL, 1907.

	General ledger .....	\$ 90.668.53
206	Country ledger .....	5,619.34
200	City ledger .....	35.86
204	City loan ledger .....	10,256.95
210	Country loan ledger .....	4,117.26
342	Advertising . . . . .	838.76
412	Empty bottles .....	1,795.89
374	Sacks and sawdust.....	9.00
514	Freight . . . . .	5,983.00
370	Extra labor .....	988.85
456	City spendings .....	257.15
536	Int. disct. and exch.....	47.76
532	General expense .....	909.04
214	H. Hamilton .....	120.00
536	Exchange . . . . .	10.76
174		\$121,658.09

Page 74—

May 1, 1908, voucher No. 2228, folio 699, Otto Koehler, loan on 90-day note, \$10,000.

Page 76—

May 6, 1908, voucher No. 2313, folio 634, salary account T. H. McGregor, April and May, \$250.



Page 83—

May 15, 1908, voucher No. 2539, folio 590, prohibition expense, O. Paget, account Cleveland matters, \$32.50.

Page 84—

May 18, 1908, voucher No. 2577, folio 660, J. G. Willacy, expense on petitions from San Antonio, \$1.40.

Page 90—

May 27, 1908, voucher No. 2781, folio 660, J. G. Willacy, printing, etc., \$50.25.

Page 95—

June 1, 1908, voucher No. 2865, folio 660, J. G. Willacy, V. V. Daniels, \$200.

June 2, 1908, voucher No. 2877, folio 214, general expense, donation to Republican convention fund, \$20.

Page 96—

June 3, 1908, voucher No. 2905, folio 660, J. G. Willacy, expense on skg's frp., S. A., \$1.65.

June 3, 1908, voucher No. 2906, folio 660, J. G. Willacy, stenographers payroll, \$6.00.

June 3, 1908, voucher No. 2907, folio 660, J. G. Willacy, V. V. Daniels, \$50.

June 3, 1908, voucher No. 2908, folio 660, J. G. Willacy, C. H. Hart to Humble, \$10.

June 3, 1908, voucher No. 2909, folio 660, J. G. Willacy, L. Rosner, \$10.

June 3, 1908, voucher No. 2910, folio 660, J. G. Willacy, stamps, \$50.

June 3, 1908, voucher No. 2916, folio 660, J. G. Willacy, V. V. Daniels, salary to 6-13, \$150.

Page 97—

June 4, 1908, voucher No. 2956, folio 634, T. H. McGregor, salary, June, \$125.

Page 98—

June 5, 1908, voucher No. 2982, folio 660, J. G. Willacy, Houston Labor Journal, \$18.50.

June 6, 1908, voucher No. 2994, folio 660, J. G. Willacy, J. A. Evans, \$3.

June 6, 1908, voucher No. 2995, folio 660, J. G. Willacy, G. Francis, \$3.

June 6, 1908, voucher No. 2996, folio 660, J. G. Willacy, L. Rosner, \$10.

Page 99—

June 8, 1908, voucher No. 3026, folio 660, J. G. Willacy, V. V. Daniels, for payroll, \$18.50.

Page 102—

June 12, 1908, voucher No. 3126, folio 660, J. G. Willacy, typewriter company and wages, \$40.50.

June 12, 1908, voucher No. 3128, folio 652, V. V. Daniels, A. Morris, \$10.

Page 103—

June 12, 1908, voucher No. 3141, folio 77, Galveston branch, B. Adoue, \$50.

Page 107—

June 18, 1908, voucher No. 3279, folio 570, legal expenses, L. G. King, Nacogdoches, \$15.

June 19, 1908, voucher No. 3291, folio 652, V. V. Daniels, self, \$60.

Page 112—

June 26, 1908, voucher No. 3483, folio 590 (the 590 is scratched out and 215 inserted, prohibition expense; this is also scratched out and H. Hamilton inserted), B. Adoue, contribution, \$1,360.

Page 119—

#### RECAPITULATION, JUNE, 1908.

General ledger .....	\$109,260.73
Country ledger .....	2,808.06
City ledger .....	27.30
City loan ledger .....	9,974.27
Country loan ledger .....	2,784.22
Advertising .....	332.36
Empty bottles .....	2,781.56
Sacks and sawdust .....	21.45
Freight .....	9,000.81
Extra labor .....	1,082.90
City spendings .....	309.60
Int. disct. and exch. ....	28.29
General expense .....	1,026.62
H. Hamilton .....	120.00
Exchange .....	16.99
Total .....	\$139,575.16

Page 127—

July 10, 1908, voucher No. 3794, folio 215, H. Hamilton, account Adoue & Lobit, \$2,500.

July 14, 1908, voucher No. 3870, folio 766, Paul Reinemann, contribution fund, \$100.

July 15, 1908, voucher No. 3876, folio 623, A. Haxthausen, loan on 90-day note, \$100.

July 16, 1908, voucher No. 3910, folio 660, J. G. Willacy, V. V. Daniels for expense, \$25.

July 18, 1908, voucher No. 3997, folio 78, Galveston branch, B. Adoue, \$50.

July 18, 1908, voucher No. 3998, folio 590, prohibition expense H. F. Fox, secretary U. S. Brewers' Assn., \$900.

July 18, 1908, voucher No. 3999, folio 590, prohibition expense, assessment, June, 1908, \$2,200.

July 20, 1908, voucher No. 4019, folio 660, J. G. Willacy, Daniels' office expense, \$25.

Page 134—

July 20, 1908, voucher No. 4030, folio 660, J. G. Willacy, Houston Labor Journal, \$50.

July 20, 1908, voucher No. 4037, folio 660, J. G. Willacy, R. L. Autrey, \$1,332.20.

July 21, 1908, voucher No. 4042, folio 215, H. Hamilton, J. P. Welsh, \$400.

Page 136—

July 23, 1908, voucher No. 4096, folio 281, H. Hirsch, anti-submission fund, \$50.

July 24, 1908, voucher No. 4110, folio 660, J. G. Willacy, Daniels' office expense, \$25.

July 24, 1908, voucher No. 4111, folio 664, J. G. Willacy, H. H. to Paget, \$20.

Page 136—

July 24, 1908, voucher No. 4112, folio 664, J. G. Willacy, stamps, \$2.

Page 137—

July 25, 1908, voucher No. 4139, folio 661, J. G. Willacy, music for torch-light parade, \$50.

July 25, 1908, voucher No. 4139, folio 661, J. G. Willacy, express charges on sundry packages, Ford, \$37.40.

Page 138—

July 27, 1908, voucher No. 4155, folio 661, J. G. Willacy, payroll V. V. Daniels, \$30.50.

July 27, 1908, voucher No. 4156, folio 661, J. G. Willacy, Daniels' telephone bill, \$27.10.

Page 139—

July 28, 1908, voucher No. 4178, folio 660, J. G. Willacy, hauling torches and negro labor for parade, \$3.25.

Page 141—

July 30, 1908, voucher No. 4229, folio 78, Galveston branch, Adoue & Lobit, \$725.

July 30, 1908, voucher No. 4237, folio 661, J. G. Willacy, office expense, stationery, etc., \$27.70.

Page 142—

July 31, 1908, voucher No. 4250, folio 661, J. G. Willacy, riding horses for torch-light parade, \$16.

July 31, 1908, voucher No. 4251, folio 661, J. G. Willacy, music for torch-light parade, \$39.

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#### RECAPITULATION, JULY, 1908.

General ledger .....	\$123,118.09
Country ledger .....	4,259.37
City ledger .....	36.77
City loan ledger .....	15,195.46
Country loan ledger .....	11,199.43
Advertising .....	708.50
Empty bottles .....	2,917.61
Freight .....	7,378.56
Extra labor .....	1,051.60
City spendings .....	289.20
Int. disct. and exch.....	81.01
General expense .....	1,200.28



H. Hamilton . . . . .	315.00
Exchange paid . . . . .	17.16
Sacks and sawdust . . . . .	141.00

Total . . . . . \$167,909.04

Page 145—

August 3, 1908, voucher No. 4296, folio 661, J. G. Willacy, wages stenographer, \$6.25.

August 3, 1908, voucher No. 4306, folio 661, V. V. Daniels, salary due to 8-1, inc., \$199.05.

Page 150—

August 10, 1908, voucher No. 4454, folio 660, J. G. Willacy, torches for parade, \$5.

Page 152—

August 12, 1908, voucher No. 4531, folio 661, J. G. Willacy, V. V. Daniels at S. A., \$25.

August 13, 1908, voucher No. 4548, folio 216, H. Hamilton, T. H. McGregor fees in Senery case, \$25.

Page 157—

August 21, 1908, voucher No. 4747, folio 79, Galveston branch, B. Adoue, \$50.

Page 158—

August 22, 1908, voucher No. 4768, folio 523, traveling expense V. V. Daniels to Austin, \$17.40.

August 22, 1908, voucher No. 4769, folio 661, J. G. Willacy, 12 days' time to V. V. Daniels to S. A. and Austin and expense, \$130.

Page 159—

August 23, 1908, voucher No. 4785, folio 661, J. G. Willacy, torches for parade, \$3.13.

Page 161—

August 26, 1908, voucher No. 4848, folio 216, H. Hamilton, C. C. Highsmitt, \$100.

Page 162—

August 31, 1908, voucher No. 4916, folio 590, prohibition expense, B. B. C. Co., for 1,600 Mfg. & Farmers' Al., \$50.

Page 166—

September 1, 1908, voucher No. 4954, folio 217, prohibition expense, assessment account H. H., \$2,200.

September 2, 1908, voucher No. 4959, folio 590, prohibition expense, J. B. Rayner, \$40.

Page 171—

September 10, 1908, voucher No. 5139, folio 661, J. G. Willacy, torch-lights and torpedos for parade, \$24.48.

Page 172—

September 10, 1908, voucher No. 5149, folio 652, V. V. Daniels, Smiley draft, 9-7, \$50.

Page 185—

September 28, 1908, voucher No. 5542, folio 216, H. Hamilton, 9-13, deposit with Adoue & Lobit, \$5,000.

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## RECAPITULATION, SEPTEMBER, 1908.

	General ledger .....	\$ 93,793.05
206	Country ledger .....	3,303.31
200	City ledger .....	33.60
204	City loan ledger .....	29,343.68
210	Country loan ledger .....	2,678.30
342	Advertising .....	365.28
412	Empty bottles .....	3,563.59
514	Freight .....	6,987.39
370	Extra labor .....	854.00
456	City spendings .....	297.80
536	Int. disct. and exch.....	87.96
533	General expense .....	1,072.94
217	H. Hamilton .....	215.00
374	Sacks and sawdust.....	10.60
536	Exchange paid .....	8.84

Total . . . . . \$142,615.34

Page 191—

October 4, 1908, voucher No. 5702, folio 217, prohibition expense, Autrey, \$10.

Page 194—

October 8, 1908, voucher No. 5804, folio 571, legal expense, draft King & Strong, Nocogdoches, \$100.

Page 195—

October 10, 1908, voucher No. 5843, folio 652, V. V. Daniels, draft, Devine, \$50.15.

Page 211—

October 31, 1908, voucher No. 6318, folio 217, B. Adoue, defense fund, \$1,100.

October 31, 1908, voucher No. 6322, folio 34, G. M. Bailey, self, \$75.

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## RECAPITULATION, OCTOBER.

	General ledger .....	\$ 71,563.64
200	City trade ledger .....	43.50
204	City loan ledger .....	17,491.49
207	Country ledger .....	5,729.02
210	Country loan ledger.....	1,947.10
342	Advertising .....	523.76
413	Empty bottles .....	3,603.97
374	Sacks and sawdust.....	96.00
515	Freight .....	5,398.56
370	Extra labor .....	661.45
456	City spendings .....	366.00
537	Int. disct. and exch.....	17.38
533	General expense .....	889.89
217	H. Hamilton .....	220.00
537	Exchange paid .....	10.78

Total . . . . . \$108,562.54

Page 225—

November 20, 1908, voucher No. 6740, folio 571, legal expense, S. T. Morgan, account Territory cases, \$250.

Page 229—

November 30, 1908, voucher No. 6865, folio 218, H. Hamilton, B. Adoue, \$965.

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#### RECAPITULATION, NOVEMBER, 1908.

	General ledger . . . . .	\$108,846.03
206	Country ledger . . . . .	4,286.34
	City ledger . . . . .	31.50
	City loan ledger . . . . .	6,306.36
	Country loan ledger . . . . .	8,483.28
	Advertising . . . . .	645.73
	Empty bottles . . . . .	2,379.29
	Sacks and sawdust . . . . .	17.38
	Freight . . . . .	4,710.61
	Extra labor . . . . .	333.30
	City spendings . . . . .	278.50
	Int. disct. and exch. . . . .	41.88
	General expense . . . . .	775.96
	H. Hamilton . . . . .	170.00
	Exchange paid . . . . .	12.48
	Total . . . . .	\$137,318.64

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December 8, 1908, voucher No. 7020, folio 218, H. Hamilton, John L. Hulen, \$1,000.

Page 241—

December 22, 1908, voucher No. 7378, folio 34, G. M. Bailey, self, \$250.

Page 244—

December 29, 1908, voucher No. 7485, folio 218, H. Hamilton, B. Adoue, \$850.

Page 252—

#### RECAPITULATION, DECEMBER, 1908.

	General ledger . . . . .	\$ 85,968.39
207	Country ledger . . . . .	3,958.43
200	City ledger . . . . .	39.50
204	City loan ledger . . . . .	9,209.80
200	Country loan ledger . . . . .	3,216.80
343	Advertising . . . . .	832.13
413	Empty bottles . . . . .	2,683.64
374	Sacks and sawdust . . . . .	25.50
514	Freight . . . . .	5,375.81
377	Extra labor . . . . .	309.05
456	City spendings . . . . .	253.90
537	Int. disct and exch. . . . .	65.82



533	General expense .....	908.79
218	H. Hamilton .....	85.00
537	Exchange paid .....	13.03

Total . . . . . \$112,945.59

Entries from book called "Cash Disbursements, 1908, 1909, Houston Ice and Brewing Company." Date, 1909.

January 15, voucher 182, folio 233, account R. L. Autrey, draft C. C. Highsmith, \$100. Page 6.

January 18, voucher 199, folio 534, account general expense, Autrey to Austin, \$100. Page 6.

January 22, voucher 266, folio 233, account R. L. Autrey, Austin, draft, 1-22, \$500. Page 9.

January 23, voucher 278, folio 653, account V. V. Daniels, amount expressed to him at Austin, \$75.25. Page 9.

January 26, voucher 311, folio 572, general expense, Anti-Prohibition League, \$20. Page 10.

January 29, voucher 393, folio 233, account R. L. A. special, G. S. King, Nacogdoches, \$100. Page 12.

February 9, voucher 572, folio 634, account T. H. McGregor, salary, January and February, \$250. Page 19.

February 11, voucher 640, folio 572, account general expense, subscription entertaining Legislature, \$100. Page 22.

February 12, voucher 660, folio 219, account H. Hamilton, T. H. McGregor draft, Austin, \$225. Page 22.

February 13, voucher 683, folio 656, account J. B. Bisland, Austin draft, 2-12, \$60. Page 23.

February 22, voucher 833, folio 656, account J. B. Bisland, Austin draft, 2-18, \$30. Page 29.

February 23, voucher 861, folio 525, account traveling expense Autrey to Austin, \$50. Page 29.

February 28, voucher 945, folio 220, account H. Hamilton, Jules Hirsch (political fund), \$100. Page 31.

March 2, voucher 978, folio 220, account H. Hamilton, J. Bonner (Austin Harpoon), \$100. Page 34.

March 12, voucher 1158, folio 590, prohibition expense, O. Paget for Kingsville, \$100. Page 40.

March 16, voucher 1237, folio 140, account general expense, George S. King, \$15. Page 42.

March 16, voucher 1240, folio 233, account R. L. Autrey, John A. Hulen draft, 3-15, \$500. Page 42.

Page 52—

#### RECAPITULATION, MARCH, 1909.

General ledger .....	\$57,123.00
Country ledger .....	2,510.75
City ledger .....	46.20
City loan ledger .....	11,171.08
Country loan ledger .....	1,159.95
Advertising .....	387.21
Empty bottles .....	3,046.48

Sacks and sawdust .....	1.50
Freight .....	4,286.53
Extra labor .....	489.00
City spendings .....	308.65
Interest, discount and exchange.....	54.78
General expense .....	613.42
H. Hamilton .....	100.50
Exchange .....	15.35

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Total . . . . . \$81,314.40

May 4, voucher 2132, folio 243, account R. L. Autrey, self, \$500. Page 73.

May 5, voucher 2269, folio 221, account H. Hamilton, Otto Koehler account wager, \$500. Page 74.

May 10, voucher 2345, folio 590, account prohibition expense, W. C. Reinhard, \$87.50. Page 77.

May 10, voucher 2348, folio 590, account prohibition expense, H. F. Marr, trip to labor convention, \$25. Page 77.

May 17, voucher 2515, folio 656, account J. B. Bisland, money advanced by O. Koehler, \$70. Page 82.

May 17, voucher 2516, folio 526, account traveling expense Autrey to Tyler, \$50. Page 82.

May 18, voucher 2534, folio 233, account R. L. Autrey, general, E. B. Wiggins, chairman, Tyler, \$500. Page 82.

May 22, voucher 2647, folio 534, account general expense, T. H. McGregor, expense to San Antonio, \$50. Page 86.

May 24, voucher 2674, folio 590, account prohibition expense, W. L. Hall, account Wharton County campaign, \$250. Page 86.

May 24, voucher 2678, folio 221, account (account erased), deposit with Adoue & Lobit, \$6,000. Page 86.

May 27, voucher 2729, folio 244, account R. L. Autrey, draft W. L. Radney, Comanche, \$100. Page 88.

May 28, voucher 2744, folio 233, account R. L. Autrey, general, F. J. Richardson expenses to Wharton, \$10. Page 88.

May 28, voucher 2745, folio 233, account R. L. Autrey, general, J. B. Rayner, \$20. Page 88.

May 28, voucher 2748, folio 221, account H. Hamilton, self, expense to Wharton, \$10. Page 88.

May 29, voucher 2784, folio 233, account R. L. Autrey, special, Tilden L. Childs, chairman, Teague, \$250. Page 89.

June 10, voucher 3078, folio 221, account H. Hamilton, W. L. Hall, account Wharton, \$150. Page 99.

July 6, voucher 3604, folio 232, account R. L. Autrey, special, W. L. Radney, Waco, \$100. Page 116.

July 23, voucher 3999, folio 222, account H. Hamilton, Judge Blackmon, account Limestone County fight, \$250. Page 134.

August 1, voucher 4193, folio 232, account R. L. Autrey, general, draft A. M. Blackmon, \$1,000. Page 141.

August 12, voucher 4461, folio 332, account R. L. Autrey, general, B. Adoue, \$2,500. Page 153.

August 17, voucher 4570, folio 232, account R. L. Autrey, special, B. Adoue, \$1,903. Page 157.

August 21, voucher 4689, folio 223, account H. Hamilton, H. Prince, \$250. Page 161.

August 23, voucher 4708, folio 232, account R. L. Autrey, general, W. B. Howard, N. Y. exchange, \$250. Page 161.

September 3, voucher 4924, folio 232, account R. L. Autrey, general, N. P. Klawgard, Liberty, \$70. Page 170.

September 3, voucher 4944, folio 232, account R. L. Autrey, general, F. M. Stevens, \$180. Page 170.

September 11, voucher 5127, folio 184, account Burger & Robertson, Wharton draft, 9-7, \$1,000. Page 176.

September 11, voucher 5135, folio 232, account R. L. Autrey, special, B. Adoue, \$2,500. Page 176.

September 13, voucher 5155, folio 232, account R. L. Autrey, general, draft C. C. Highsmith, Center, \$300. Page 177.

November 1, voucher 6142, folio 232, account R. L. Autrey, general, self, \$900. Page 209.

November 12, voucher 6379, folio 343, account advertising, A. S. Crisp, Cuero, \$100. Page 216.

December 31, voucher 7354, folio 226, account H. Hamilton, deposit with Adoue & Lobit, \$2,500. Page 245.

Book "Cash Disbursements, 1910, Houston Ice and Brewing Company."

#### ENTRIES.

January 21, 1910, voucher No. 252, folio 522, traveling expense, Autrey and Wortham to Dallas, cash \$30; general ledger.

February 7, 1910, voucher No. 524, folio 230, R. L. Autrey, general, A. G. Ricks, chairman, New Orleans assessment on 1,568 barrels; 1909, \$31.36; bank, \$31.36; general ledger, \$31.36. Page 19.

February 12, 1910, voucher No. 621, folio 230, R. L. Autrey, general, to George P. Stanford, Denison; bank, \$600; general ledger, \$600. See page 22.

February 25, 1910, voucher 826, folio 88, Tilden Childs, R. L. Autrey; bank, \$634.50. See page 29.

February 16, 1910, folio 6, dividends to:

B. A. Riesner .....	\$ 1,155.00
R. L. Autrey .....	6,391.00
H. Hamilton .....	20,097.00
F. Kalb .....	3,300.00
Ed B. Parker .....	550.00
E. Raphael .....	49.50
J. F. Meyer .....	495.00
Julia Hamilton .....	82.50
V. Lucio .....	330.00
H. B. Rice .....	550.00

See page 32.

March 3, 1910, voucher 926, folio 230, R. L. Autrey, general, Eugene Graham, collecting 829 poll tax receipts, \$155.80. See page 34.



March 7, 1910, voucher 990, folio 230, R. L. Autrey, general, \$5,000. See page 36.

March 12, 1910, voucher 1099, folio 542, general expense, Judge Green to Yoakum, \$15. See page 39.

March 24, 1910, voucher 1395, folio 532, general expense, J. A. Arnold, secretary Commercial Secretaries' Assn., \$100. See page 47.

April 6, 1910, voucher 1617, folio 532, general expense, U. S. B. Assn., \$1,050. See page 55.

April 11, 1910, voucher 1677, folio 216, H. Hamilton to A. Hauxthausen, \$50. See page 56.

May 9, 1910, voucher 2237, folio 230, R. L. Autrey, general, self, \$1,000. May 9, 1910, voucher 2238, folio 230, R. L. Autrey, general, B. Adoue, \$2,100. See page 74.

June 8, 1910, voucher 2828, folio 218, H. Hamilton to C. C. Highsmith, \$200. See page 93.

June 8, 1910, voucher 2829, folio 230, R. L. Autrey, general, self, \$10,000. See page 93.

1910—

June 30, voucher 3280, folio 434, drivers' comm., A. Hauxthausen, \$18.35. See page 107.

July 13, voucher 3580, folio 230, R. L. Autrey, general, to B. Adoue, \$2,500. See page 129.

July 23, voucher 3799, folio 230, R. L. Autrey, general, to James P. Welsh, \$300. See page 135.

July 31, voucher 3931, folio 570, legal expense, San Antonio Brewing Association, account T. H. McGregor, \$50. See page 139.

September 8, voucher 4600, folio 533, general expense, J. W. McQueen, Amarillo, account local option, \$50. See page 164.

December 2, voucher 6205, folio 231, R. L. Autrey, general, to B. Adoue, \$2,440. See page 216.

December 14, voucher 6399, folio 571, legal expense, to Otto Wahr-  
mund, September, October, November and December, \$40. See page 222.

December 15, voucher 6427, folio 584, account salary Miss Alice Bond, \$53.95. See page 223.

December 15, voucher 6428, folio 222, H. Hamilton to Meek & Highsmith, loan on 4-months note, \$1,000. See page 223.

Page 9. CASH DISBURSEMENTS, 1911.

Vo. Fol.

Jan. 25	51	223	H. Hamilton, loan to Retail Liquor Dealers' Association . . . . .	\$ 750.00
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Page 29—1910.

Feb. 24	71	224	H. Hamilton, Rice campaign fund . . . . .	250.00
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Page 35—1911.

Mar. 6	25	231	R. L. Autrey, general, B. Adoue . . . . .	13,000.00
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Page 58—

Apr. 12	40	225	H. Hamilton, W. L. Hall draft, 4-1 . . . . .	800.00
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Apr. 17	17	225	H. Hamilton, W. L. Hall . . . . .	800.00
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May 2	8	226	H. Hamilton, W. L. Hall draft, 5-19.....	700.00
Page 86—				
May 31	18	231	R. L. Autrey, general, B. Adoue.....	13,000.00
Page 93—				
June 13	35	231	R. L. Autrey, general, B. Adoue.....	13,000.00
Page 94—				
June 15	58	246	R. L. Autrey, Ed Weil Co.....	531.50
Page 102—				
June 29	43	585	Salary Miss Alice Bond.....	43.20
June 29	44	232	R. L. Autrey, general, B. Adoue.....	13,000.00
Page 111—				
June 6	65	...	General expense, Sinkiller Griffin .....	10.00
June 6	85	729	Ed Weil Co., H. Hamilton.....	1,000.00
Page 112—				
July 7	3200	...	General expense, T. H. McGregor.....	15.00
July 13	17	231	R. L. Autrey, general, B. Adoue.....	13,000.00
Page 209—				
Dec. 16	71	758	N. T. Henderson, loan on three notes.....	950.00
Page 217—				
Dec. 28	42	248	R. L. Autrey, general, Com. Ntl.....	2,000.00
Page 220—				
Dec. 31	16	586	Salary, account Miss Alice Bond.....	60.00
Page 230—1912.				
Jan. 19	79	532	General expense, G. H. Luedde, draft, 1-16.	850.00
Page 231—				
Jan. 24	24	214	H. Hamilton, Scuddy Richardson.....	23.00
Page 240—				
Feb. 5	77	584	Salary, account Miss Alice Bond.....	52.00
Feb. 5	80	236	R. L. Autrey, general, Miss Bond, for multi. machine .....	37.50

Page 244—

Feb. 13 13 532 General expense, paving campaign fund.. 250.00  
 Entries from book called "Cash Disbursements," 1912, Houston  
 Ice and Brewing Company.

Date, 1912—

March 9, voucher 892, folio 584, account salary Miss Alice Bond,  
 \$73. Page 8.

March 25, voucher 1170, folio 692, account T. H. McGregor, loan on  
 ten-months note, \$500. Page 17.

April 13, voucher 1479, folio 216, account H. Hamilton, Otto  
 Koehler, \$4,000. Page 27.

April 25, voucher 1692, folio 245, account R. L. Autrey, G. H.  
 Luedde draft, 4-23, \$225. Page 33.

May 2, voucher 1806, folio 343, account general expense, Miss  
 Alice Bond, \$18.50. Page 38.

May 4, voucher 1834, folio 532, account general expense, T. H.  
 McGregor expense to Galveston, \$25. Page 39.

May 25, voucher 2297, folio 245, account R. L. Autrey, Adoue &  
 Lobit, \$1,000. Page 53.

July 20, voucher 3419, folio 218, account H. Hamilton, Waco News Publishing Co., \$1,500. Page 97.

July 25, voucher 3550, folio 218, account H. Hamilton, J. L. Griffin, loan on 10-day note, \$10. Page 101.

September 30, voucher 4680, folio 246, account R. L. Autrey, Adoue & Lobit, \$200. Page 141.

October 7, voucher 4808, folio 749, account John L. Wroe, loan on 60-day note, \$150. Page 147.

October 9, voucher 4818, folio 756, account N. Q. Henderson, loan due in 60 days, \$75. Page 147.

November 1, voucher 5253, folio 363, account Charles J. Kirk, loan on 60-day note, \$150. Page 162.

Date, 1913—

January 6, voucher 40, folio 247, account R. L. Autrey, draft Galveston, \$2,000.90. Page 201.

February 3, voucher 442, folio 749, account John L. Wroe, loan due in three months, \$200. Page 219.

February 12, voucher 615, folio 533, account general expense, J. A. Arnold, secretary, \$125. Page 225.

March 10, voucher 1065, folio 533, account general expense, J. G. Leavell, chairman, \$200. Page 240.

Entries from book called "Cash Disbursements" 1913-1914, Houston Ice and Brewing Company.

April 4, voucher 1610, folio 534, account United States Brewers' Association one per cent assessment, \$1,400. See page 8.

April 5, voucher 1643, folio 223, account H. Hamilton, W. L. Dickson, \$200. See page 9.

April 26, voucher 2051, folio 286, account general expense, Jeff McLemore, \$25. See page 21.

May 14, 1913, voucher 2482, folio 773, account John C. Williams, loan 90-day note, \$350. See page 36.

June 2, voucher 2859, folio 248, account R. L. Autrey, Houston National Bank, \$2,500. See page 50.

June 10, voucher 3011, folio 534, account general expense T. H. McGregor, \$166.65. See page 55.

June 12, voucher 3054, folio 224, account H. Hamilton to A. De-Zavalla, loan on note due in six months, \$3,800. See page 56.

July 16, voucher 4075, folio 225, account poll list of Brazoria County, \$5. See page 92.

August 26, voucher 4949, folio 109, account G. H. Luedde, Waco, half expense incurred fixing Majestic Lobby Saloon, \$300. See page 123.

August 28, voucher 4994, folio 535, account United States Brewers' Association, \$1,400. See page 124.

September 22, voucher 5432, folio 535, account general expense J. N. Hartsell, \$256. See page 139.

October 30, voucher 6193, folio 250, account R. L. Autrey to Louis Adoue, \$159.65. See page 162.

December 13, voucher 7042, folio 691, account R. W. Horlock, T. Morgan, \$3,750. See page 191.



December 15, voucher 7116, folio 237, account R. L. Autrey, E. W. Bounds, \$25. See page 193.

December 29, voucher 7399, folio 237, account August A. Busch & Co., draft, \$1,200. See page 201.

December 29, voucher 7400, folio 229, account H. Hamilton, James B. Welsh, note 90 days, \$200. See page 201.

Date, 1914—

January 7, voucher 96, folio 244, account R. L. Autrey, loan Wroe, \$50. See page 213.

January 22, voucher 399, folio 236, account R. L. Autrey, G. H. Luedde, \$500. See page 224.

February 11, voucher 754, folio 759, account Harlingen Ice and Gin Co., H. Masterson, \$1,320. See page 236.

February 24, voucher 1044, folio 244, account R. L. Autrey, A. N. Fitzgerald, \$127.50. See page 244.

Entries from book called "Cash Disbursements," 1914, Houston Ice and Brewing Company.

Date, 1914—

March 26, voucher 1630, folio 615, account J. B. Rayner, loan 90 days, \$75. See page 17.

March 28, voucher 1667, folio 244, account R. L. Autrey, W. H. Gray, \$250. See page 18.

April 2, voucher 1744, folio 244, account R. L. Autrey, personal, \$1,200. See page 21.

April 2, voucher 1745, folio 541, account O. Paget draft, 3-31, favor Sewall Myer for note, \$404. See page 21.

April 9, voucher 1863, folio 219, account H. Hamilton, \$11,000. See page 25.

April 14, voucher 1981, folio 466, account donations J. L. Griffin, \$25. See page 29.

April 25, voucher 2194, folio 244, R. L. Autrey, John L. Wroe, \$75. See page 36.

May 2, voucher 2317, folio 342, account advertising Harpoon Publishing Co., extra copies, \$250. See page 41.

May 24, voucher 2324, folio 342, account advertising, Jeff Mc-Lemore, \$100. See page 41.

May 6, voucher 2423, folio 236, account R. L. Autrey, cashier's check to J. A. Arnold, \$1,000. See page 44.

May 9, voucher 2446, folio 245, account R. L. Autrey, Telegram Publishing Co., \$1,500. See page 45.

May 13, voucher 2554, folio 236, account R. L. Autrey, \$10,000. See page 48.

June 11, voucher 3122, folio 245, account R. L. Autrey, personal, W. H. Gray, \$1,000. See page 72.

June 11, voucher 3128, folio 236, account R. L. Autrey, \$1,500. See page 72.

June 24, voucher 3323, folio 550, account Frank Rao, five notes, \$100. See page 78.

June 24, voucher 3328, folio 691, account B. M. Horlock, S. T. Morgan, N. Y. exchange, \$3,750. See page 78.

September 16, voucher 4943, folio 534, account general expense O. Paget to Trinity County, \$34.40. See page 148.

October 3, voucher 5355, folio 469, account general expense N. Q. Henderson. \$5.50. See page 161.

Cash disbursements, Houston Ice and Brewing Association, 1914-1915.

Page 3—

October 29, 1914, voucher 101, folio 222, R. L. Autrey, G. H. Luedde, account McCullom, \$1,500.

October 29, 1914, voucher 102, folio 534, general expense, United States Brewers' Association, \$3,200.

Page 11—

November 9, 1914, voucher 324, folio 622, J. P. Beck, draft, Waco, \$200.

Page 14—

November 12, 1914, voucher 397, folio 692, Nat Q. Henderson, one-day note, \$15.

Page 18—

November 21, 1914, voucher 529, folio 640, change, W. N. Scholl, \$1,000.

Page 39—

December 21, 1914, voucher 1153, folio 526, traveling expense, R. L. Autrey, St. Louis, \$180.

Page 55—

January 13, 1915, voucher 148, folio 692, W. H. Gray, loan 90 days, \$2,000.

Page 63—

January 22, 1915, voucher 277, folio 220, draft Otto Wahrmond, \$400.

Page 64—

January 23, 1915, voucher 303, folio 534, general expense, Capt. Paget, \$25.

Page 66—

January 27, 1915, voucher 354, folio 534, general expense, O. Paget to Sinton, \$50.

Page 77—

February 12, 1915, voucher 637, folio 6, dividend No. 1, Edwin B. Parker, \$2,000.

Page 79—

February 16, 1915, voucher 716, folio 220, R. W. Horleck, R. L. A., for McG., 7-13-14, \$150.

February 16, 1915, voucher 716, folio 220, R. W. Horleck, R. L. A., 7-22-14, \$50.

February 16, 1915, voucher 716, folio 220, R. W. Horleck, draft, T. H. McGregor, 8-1-14, \$100.

Page 80—

February 18, 1915, voucher 758, folio 534, general expense, O. Paget, \$50.

Page 81—

February 18, 1915, voucher 776, folio 223, R. L. Autrey, self, \$6,000.

Page 85—

February 26, 1915, voucher 921, folio 640, change, John C. Dale, \$500.

Page 90—

March 4, 1915, voucher 1027, folio 223, R. L. Autrey, W. H. Gray, \$250.

March 5, 1915, voucher 1048, folio 527, traveling expense, draft Dallas Hotel Co., \$50.

March 5, 1915, voucher 1048, folio 223, R. L. Autrey, draft Dallas Hotel Co., \$50.

Page 92—

March 8, 1915, voucher 1099, folio 586, salary, G. V. Durham, \$450.

Page 94—

March 10, 1915, voucher 1155, general expense, O. Paget, \$50.

Page 108—

April 3, 1915, voucher 1604, folio 224, R. L. Autrey, W. H. Gray, \$250.

Page 110—

April 5, 1915, voucher 1653, folio 220, R. W. Horleck, R. L. A., \$4,500.

Page 113—

April 10, 1915, voucher 1747, folio 640, John C. Dale, change, \$900.

(Note—The totals in the foregoing book entries of Houston Ice and Brewing Company in some instances may be incorrect, owing to the fact that some items going to make up such totals were excluded by the court upon the trial of the cases.)



## PART THREE—POLL TAXES

The present poll tax suffrage provision of the Constitution was adopted in 1902. The breweries seeing that the adoption of it would make it more difficult for them to promote anti-prohibition matters in Texas, through the Texas Brewers' Association and otherwise, strenuously opposed the amendment.

1902. . .

On 10-23-02 J. W. Riggins of Waco, company manager for the Texas Brewers' Association, in the following letter to Otto Wahrmond, San Antonio Brewing Association, sounds the call to arms:

"I desire to call your attention to a matter which I think is of grave importance to us. The prohibitionists of Texas are going to use their influence to carry at the election in November the poll tax amendment. I am satisfied a great many prohibition elections are now being held up, hoping that if this should carry, by their influence, it will eliminate a great many voters, which would naturally go for our side.

"It is very important that we get the newspapers under our influence, and write and work against the poll tax amendment. Our position is that it has a tendency to put the Government under the influence and in the hands of a few and destroys the right of franchise of the laboring people of the country. When this is done the poor man is cut out from the ballot box. Not because he is incapable of casting his vote, but because he does not happen to pay a tax. In other words, a price is put upon the voter.

"This is our position. It is the popular position and we want to occupy it, and I would suggest that it would be well for us to arrange for the S. A. Express and other papers that you were to handle, to oppose the poll tax amendment, upon the position **THAT IT DOES NOT GIVE THE LABORING MAN OR THE POOR MAN RIGHT TO VOTE.** You know how to handle them and get this before the public. I enclose you an article along the lines indicated." (S-683.)

He wrote on the subject again, 10-24-02, in this wise:

"You are probably aware that at the general election to be held in November the question of the poll tax amendment will be voted upon.

"I wish to advise you that the prohibitionists of Texas are doing all in their power to carry this amendment, hoping in this way to eliminate a very large and respectable vote of Texas hereafter in local option elections.

"It is **VERY** important that we advise the laboring element—the poor people—of our State, without thereby making ourselves conspicuous, that this is a kind of class movement, done for the purpose

of destroying the rights of the poor man, centralizing governmental power in the hands of a few.

"I enclose you herewith a suggestive article, which you might get someone in your community to sign and insert in the papers, not as coming from us, but from someone well known in the community.

"I URGE UPON YOU THE IMPORTANCE OF THIS MOVEMENT, as it means a great deal to the rights, personal liberties and suffrage of a very large and responsible class of citizens of Texas, whom the prohibitionists are seeking to disfranchise of one of the highest privileges of an 'American sovereign.'" (S-686.)

The article referred to in the two letters above reads as follows:

"The voters of Texas, at the general election in November, will express their opinion, or will, upon the question of the poll tax amendment—qualification to vote.

"While the voters of Texas may not realize it, it is a fact nevertheless, that every movement of this kind tends to place greater power in the hands of a few—the politician, the rich—and destroy the force and voting power of the masses.

"Nothing can be more dangerous to this country.

"The one leading principle of the Democratic and Republican form of government is that a MAJORITY SHOULD RULE. This poll tax amendment strikes at the root of this fundamental principle in our form of government.

"This poll tax amendment is practically a 'property qualification,' and will be made such if carried, and narrow the electors of the country down to a few rich people.

"Let the poor people, the laborers, go to the polls on election day and resent, by their vote, this effort, this Trojan horse, which, if it enters the ranks of the liberty-loving people of this country, will destroy the great aim of our Constitution—personal—individual liberty.

"VOTE AGAINST IT." (S-684.)

Riggins wrote Wahrmond again, 12-2-02, saying:

"I fear the poll tax amendment is going to work a hardship on us, for very few people are going to observe it, and as is shown by various elections, the pros make it a religious duty to go to the polls on election day and vote, and they will, therefore, pay the poll tax for that privilege." (S-739.)

On 10-27-02 Riggins again wrote to Otto Wahrmond:

"IT IS VERY IMPORTANT THAT THIS POLL TAX AMENDMENT BE DEFEATED, but our work must be done in such a way as not to allow the public to know that we are fighting this matter.

"The laboring people of Texas generally oppose it, and we are sending out by mail some strong articles to the various organizations of labor in Texas.

"Please return this contract, with your suggestions immediately, so the matter will not be delayed.

"This letter is sent both to yourself as president and to Mr. Morgan as secretary." (S-688.)

1903.

J. W. Riggins again writes to the San Antonio Brewing Association, on January 15, 1903, as follows:

"We believe that the prohibitionists are going to take advantage of the poll tax amendment, which will be effective February 1st, after which no citizen of Texas will be qualified to vote who has not paid his poll tax. It is therefore of the greatest importance that the anti-prohibitionists realize the situation, and not allow the pros to get all of their people to pay the poll tax on or before February 1st, while the antis do not do it.

"We are satisfied that this is a scheme, and we desire to call your attention to it, and to urge that you put yourself actively to work to get the antis to pay the poll tax, so that if an election should be held our friends will not be disqualified.

"I would suggest that if you have a traveling man he should see to it, at every place he visits, that the pros do not take advantage of the situation." (S-800.)

With the above was enclosed the following:

"Please find below the substance of a letter which this office would suggest that you write to each of your customers in Texas, and also give a copy to each of your traveling salesmen:

"My Dear Sir:

"The information comes to us that the prohibitionists are quietly working to get the pro voters to pay the poll tax, as required by law, before February 1st, so that if a prohibition election is held the antis will be barred by their neglecting to pay the poll tax. You know what this means. If our people, the anti-prohibitionists, do not arouse themselves to pay the poll tax, to meet the work of the prohibitionists, should an election be held we will be at the mercy of the prohibitionists.

"Remember that you should treat the poll tax amendment as an election, **FOR ONLY THOSE WHO PAY THE POLL TAX ON OR BEFORE FEBRUARY 1ST WILL BE ALLOWED TO VOTE.**

"It is very important that you pass word around among our friends to **PAY THE POLL TAX PRIOR TO FEBRUARY 1ST**; otherwise they cannot vote. Yours very truly,

"\_\_\_\_\_,

\* \* \* \* \*

"This office suggests that you have the above letter, or one similar to it, sent out immediately to every customer you have, as the time is very, VERY short to work, and the pros are very active." (S-801.)

The following is a letter from the American Brewing Association to S. T. Morgan of the Dallas Brewery, 1-16-03:

"We herewith beg to enclose our check, No. 23,801, for \$500, covering assessment No. 1 of 1903, which we wish you safe to hand. We



would like to hear from you as to the progress that is being made in the payment of the POLL TAX by our class of people. Hamilton's brewery and ourselves are preparing a circular, almost an exact copy of the one issued by Riggins, which will be distributed amongst the trade in the city as well as throughout the country. We notice that the press at large has taken the matter up and are helping to advertise the necessity of all to pay the poll tax. Up to this, in this town, there has been very little attention paid to it and the chances are that the first of February will find this county having a very small percentage of people who will have the right to vote.

"We would like to hear from you and hope the movement put on foot in Dallas will prove of great benefit to all." (A-767.)

The following is a letter from Aug. A. Busch & Co., St. Louis, to the Texas Brewing Co., 1-23-03:

"We are informed that the prohibition element is agitating for a local license election, and that it will be necessary to go to some expense in paying the poll tax for voters that may be unable to do so themselves. We understand that a number of liquor dealers in your city have already subscribed to the campaign fund, but as every business man and property holder's interest would be affected if the election should go against liquor, we trust that every good citizen will use his best efforts to defeat this agitation. The same conditions prevail at Waco and Dallas, and we must not under any circumstances fail in this campaign. (TT-67.)

"We informed Mr. Steinfeldt to co-operate with you, and the committee, and that we would contribute our pro rata share of the expense, and Mr. Busch wired you as follows:

" 'Do not underestimate the prohibition movement, and danger of this poll tax law. Have a vigilant eye and do the necessary regardless of expense. We will pay our full pro rata and so must all of us. Act quickly.' "

On 1-23-03 S. T. Morgan of the Dallas Brewery wrote Otto Wahrmond, saying:

"Relative to the election in Grayson County, will state that it is my understanding that same has been called off. Mr. Eppstein had a talk with some of the Denison and Sherman people, and he informed them that our association would contribute \$500, but this would be all, and that this amount would not be contributed until the election had been called, and under no circumstances would the association contribute towards paying poll taxes, neither should the individual members of the association be expected to contribute to this fund except local members in their respective counties. As you know, we have an agency both in Sherman and Denison, and while we may be called on to contribute to the poll tax fund, we do not propose to do so unless the other breweries interested should take the lead, for certainly Mr. Wahrmond, if we start this line of contributions there is no telling what it will amount to, and I feel that we should let the local people know that in such matters they must take care of themselves." (S-809.)

The following is a letter from P. L. Meyer, Austin agent of San Antonio Brewing Association, to San Antonio Brewing Association, 1-23-03:

"Mr. Aug. Pressler, C. A. Reynolds and our City Marshal called on me today, with the request to donate \$25 for the purpose to help take out poll tax for such parties who are not able to take them out for themselves. I promised the gentlemen that I would lay the matter before you for consideration." (S-812.)

To the above the San Antonio Brewing Association said:

"Subscription made condition on others mentioned doing same thing. If \_\_\_\_\_ answered in it will be O. K.

"STEVENS." (S-812.)

The following is a letter from San Antonio Brewing Association to J. C. Goldstein, Beaumont, 1-24-03, the Putnam mentioned therein being agent of the San Antonio Brewing Association:

"We are in receipt of yours of the 22nd, and are indeed pleased to hear from you and are glad to note the interest you are taking in our behalf in regard to the poll tax matters and that you arouse the interest of the liquor dealers, and hope that you will arouse in them a feeling of their necessity before it is too late.

"Regarding the brewery contributing towards payment of the poll tax, beg to state we will write Mr. Putnam regarding same, and you may confer with him on the subject.

"The property owners and merchants in general ought to take the necessary interest to protect their business and investment by taking the necessary steps to provide themselves, and their employes, with the necessary credentials in order that they be prepared to protect themselves in the event of an election of any kind is had wherein their interest is at stake.

"At Dallas the merchants and tax payers took the matter in hand and are using every effort that all pay their poll tax, as it is of greater importance to the merchants and property owners than it really is to the saloon men that a prohibition election should be defeated, in the event one is had, and the citizens of Beaumont will view the matter in the same light and adopt some measures.

"Hoping that you will be successful in your new venture." (A-769.)

On 1-24-03 the American Brewing Association wrote its beer dealer, C. W. Putnam, at Beaumont, as follows:

"We are in receipt of yours of the 24th and after considering the question of assisting the citizens in paying the poll tax for the friends who are unable to do so, after having a talk with Mr. Hamilton on the subject, we had concluded to give \$50 each to the fund, and trust that the amount will be considered liberal contribution on our part, as you are well aware that we are always called upon for all kinds of donations and contribution and this is the first that we have given towards paying of the poll taxes." (A-771.)

The American Brewing Association wrote T. P. Boyett, Bryan, 1-26-03, as follows:

"We are in receipt of yours of the 24th and in reply beg to state it is a matter of impossibility to undertake to provide means of paying the poll tax. If the saloon men would join together and see that their interest is protected they would then have a right to call for assistance when they are ready to do something, and as the time is exceedingly very short, prompt action on that line should be taken, and would refer you to the chairman of the anti executive committee, Mr. J. W. Riggins, Waco, Texas, who has the matters for the State of Texas for the anti-prohibitionists in hand." (A-773.)

The following is a letter from the American Brewing Association to San Antonio Brewing Association, 1-28-03:

"After several trials to get you by phone today, having been informed that you desired to do some talking, and after being unsuccessful, being informed you would not be in the office tomorrow morning, I met Mr. Hamilton, who gave the outlines of the conversation had between you this morning.

"I am fully in accord with the sentiments Hamilton tells me you had expressed regarding the payment of poll tax. Calls for assistance from several places were declined. The Beaumont request, which I had at first refused to entertain, I had finally concluded to consent to contribute the same amount that Hamilton had, it being the first contribution of the kind and I suppose it will be the last.

"There is a call for a local option election in this county. We have not as yet been able to see a list, but are told that as many as six or seven hundred names have already been signed to the petition.

"I fear the result of the election unless we protect ourselves before it is too late.

"While we are willing to contribute or uphold the paying of poll tax generally throughout the country, but we consider it for the best interest of the brewing industry that when a local option election is called in a town where a brewery is established, steps must be taken to protect against any possible chances of losing.

"We cannot afford to depend entirely on our friends or citizens at large.

"I proposed to Mr. Hamilton that we should have between four and five hundred voters that we should pay the poll tax for, the majority of whom could be depended upon to exercise the right of voting when the time comes. Even though a good percentage of those that we pay for cannot be found on election day yet I think that the investment would go a long way towards increasing our chances of success.

"In talking to Hamilton yesterday on this subject, we agreed that we should follow this plan, but since talking to you this morning his sentiments regarding the matter is changed entirely.

"I therefore address you on the subject, and would ask that you phone me your views tomorrow morning on this local question.

"I really think that the venture that is liable to cost us a thousand



dollars, part of which, no doubt, we can collect from those who are interested in the defeating of the prohibition movement, that the investment will be one that will be apt to help us successfully defeating the prohibitionists at their first attempt in this county." (A-776.)

The American Brewing Association again wrote San Antonio Brewing Association, 2-2-03, on the subject as follows:

"I am in receipt of yours of the 31st, which came rather late, as the views I desired from you was intended to guide my action in matters that had to have attention before the date of the receipt of your letter.

"My action regarding the question in view was based on a positive self-protection, which we think we have accomplished with comparative little expense to either of the breweries here.

"Had we allowed the time to lapse without taking some definite step we would be in great doubt as to the result in the event that a local option election would have been had in Harris County, but as it is now, we feel perfectly safe, as the work accomplished puts us on a basis of being able to carry an election by at least two to one.

"We are today in receipt of a letter from our wholesale dealer at Palestine in which he states as follows:

"The anti-prohibition ticket raised over \$500. Sol Maier gave for the San Antonio brewery \$100, Opperman gave for the Houston brewery \$100 and I took the liberty to subscribe \$100 for you and charge to you (making in all over \$800).'

"Now, this is the first intimation that we had of the action taken in Palestine.

"Our wholesale dealer closes his letter saying, 'Hoping this will meet with your approval. I am, etc., etc.'

"Before answering this letter we would like to have your views on the subject as to the action you propose taking on Mr. Sol Maier's subscription for you.

"I have not interviewed Mr. Hamilton on his subscription, but will do so at the first chance I have.

"However, I would recommend that the amounts by the respective parties be allowed and not create any dissension, as Palestine is looking forward at no distant day to having a prohibition election, and the steps these people have taken will in all probability assist our side to the extent of having some chance of winning the fight." (A-779 S-824.)

The Houston Ice and Brewing Co. thus writes San Antonio Brewing Association, 2-3-03:

"In a telephone conversation with our agent at Palestine he advises us that we are assessed \$100 to buy poll tax receipts at Palestine, that your company is assessed \$130 and the American Brewery \$100. We have not consented to pay any of this money, therefore if you will maintain this stand, to not pay it, we will follow your example. Let us hear from you." (S-829.)

As to poll tax payments at Palestine, Sol Maier, beer dealer at that place, thus writes San Antonio Brewing Association, 4-10-03:

"Your favor of the 6th with check for \$84.35, expense delegation to Austin, received and for which I thank you. Permit me to state, however, I was under the impression provision had been made for the purpose and inasmuch as my individual expense in our local affair for the past six months has been very great (upwards of \$500) and the election scarcely unavoidable requiring still greater expenditure, I trust you do not consider it an act of impropriety on my part under the conditions." (S-900.)

An election was held in Palestine in 1903. H. F. Kaufman, traveling man for the San Antonio Brewing Association, was there in the campaign, 8-17-03, and wrote the San Antonio Brewing Association relative to poll tax payments mentioned above as follows:

"The negroes, about 1,500 votes, are well taken care of. Mr. Maier, foreseeing this election, has paid out about \$1,000, paying poll taxes for negroes, which are in his safe." (S-1027.)

In a letter to O. Paget, 12-23-03, S. T. Morgan, manager of Dallas Brewery, makes this statement:

"When you are next in Dallas I ask that you call to see me, as I want to go over the local poll tax situation with you, as well as some other matters." (D-3.)

The following is a letter from O. Paget to Otto Wahrmond, San Antonio Brewing Association, 12-24-03:

"I take the liberty of writing and asking you what steps, if any, are being taken towards the payment of poll taxes in Bexar County.

"I have succeeded through the labor organizations in making up the cities of Galveston and Houston, and it has been suggested that I return to Dallas for the purpose of arousing a far more than is at present indicated enthusiasm amongst the labor organizations of Fort Worth and Dallas.

"I understand from the manager of the association that Bexar County would be taken care of, and my impression is that you would have the same in charge. In consequence of this I write to know what the prospects are for a large payment of poll taxes by our people and hope that you will find time. Although I know it is the busiest time of the year to give me the desired information, and remain." (S-1149.)

1904.

On 1-27-04 S. T. Morgan, Dallas Brewery, wrote O. Paget, saying:

"I note what you say about returning to Dallas, and in this connection will state that I don't know if you could do any good at this time, as the solicitors that we had out, two or three being union men, have not met with the success their efforts were entitled to. A great many holding back and expecting others to put up for them. This

state of affairs is due largely to the work done last year, but at that time every man had a legal right to loan his friend money, or pay his tax for him. As you know under the Terrell election law all of this is changed, and it may be just as well that such is the case, for there is a certain class of voters that will not realize the true situation until the election day comes around, and they will then realize their position, and will not pay their poll tax in the future. If anything of interest comes up I will advise you." (DB-49.)

Morgan again wrote Paget, 1-4-04, saying:

"I also have your letter of December 30th, and have carefully noted contents. Nothing of importance has been done here looking to the payment of the poll tax, as everyone seems inclined to put the matter off until after the holidays. I am going to take the work up at once and try to effect some kind of an organization that will get good results.

"I think if you could possibly arrange it you should spend most of this month here, as I believe you can do good work among the laboring people. I hope you will get Mr. Levy's consent to divide this month between Dallas and Fort Worth.

"Soon as I can see a little further ahead I will call for Mr. Lavelle and Mr. Linthicum and consult with them as to the best plan looking to the payment of poll tax by the union people." (DB-17).

S. T. Morgan, Dallas Brewery, wrote W. P. Linthicum, Dallas, the following letter (1-13-04):

"Yours of the 7th inst. was handed me yesterday by Mr. R. H. Campbell. Mr. Campbell stated that he had made some arrangements with Capt. Paget to run the poll tax ad in his paper. Capt. Paget said nothing to me about the matter, and, of course, I am in the dark as to the arrangements, and I suggested to Mr. Campbell that he get Capt. Paget, who is expected here this week, and come down and we would arrange the matter satisfactory." (D-28.)

On 1-13-04 Paget wrote Otto Wahrmond, San Antonio Brewing Association, saying:

"We sent by express to Mr. Max B. Meyer yesterday 500 cards, urging voters to pay poll taxes. Will you kindly phone Mr. Meyer and have him send sample down to you? We have sent about 8,000 over the State, and the territory which is tributary to you, and I have not had the names of the towns or the parties to send them to. Please have a list made out and mailed to Wallace Stevenson, 133 South Ervay St., Dallas, who has the shipments of the cards in hand.

"I will be in San Antonio on Thursday next and will do myself the honor of calling upon you.

"I would urge upon you, Mr. Wahrmond, that you send this list in forthwith, as we have no time to waste, and the days are few in which the poll taxes can be paid." (S-1158.)

On 1-13-04 Paget distributed the following purporting on its face



to come from the State Bureau of Labor, but in fact furnished by Paget's office:

"We know that you recognize the absolute importance to the State at large in the payment of the poll taxes. No matter how good the intentions of the people may be, without their poll taxes paid, their intentions are inoperative and valueless.

"We have studied the best means of arousing public interest in this matter, and after mature deliberations, concluded that the getting out of a large card urging the payment of poll taxes and having them posted in conspicuous places, such as store windows, public offices, court houses, hotels, bar rooms, railroad work shops, factories and other places where men mostly congregate, is the most effective manner of arousing public interest, and especially in sending cards to other precincts in your county, if you deem it advisable. If you have not enough cards, write us for more.

"We send you this day by express, prepaid, from Dallas, a package of cards of the character above mentioned. Please have them posted immediately in the places indicated, or any other which in your judgment will be conducive of the result desired. If any expenses are attached thereto you will kindly send bill to above office, and the amount will be forwarded to you by return mail.

"Hoping that you will realize the necessity for immediate action upon this matter, we remain." (S-1159.)

The following is a letter, dated 1-23-04, from the American Brewing Association to C. W. Putnam, its agent at Beaumont:

"We have yours of the 22nd giving full explanation relative to your connection in the Sabine Pass poll tax certificates. Your explanation is perfectly satisfactory, and it leads us now to be under the impression that the Sabine Pass people misconstrued your meaning, and hope you were successful in influencing the qualified voters to pay their poll tax." (A-1024.)

The following letter about poll tax payments at Waco was written to the Texas Brewing Company, 1-29-04:

"Enclosed find copy of letter we have received from the New Orleans Brewing Company, which explains itself. You have not been requested to contribute before, as this matter has been left in the hands of another party to see your representative here and try and get assistance from her, but it seems that the matter was neglected, and for that reason I write you.

"We have assisted your friends in taking out about 2,000 poll taxes, and we now feel that we are safe as far as McLennan County is concerned. In checking up today we find we are about \$850 short. Several of our friends who were making loans to friends for poll taxes advanced on their own account and it is incumbent on us that we settle at once.

"We feel that your representative here being a woman, we cannot go to her and talk to her like we would were your representative

a man, and for that reason we take this matter up with you personally. We hope you will be as considerate with our cause as the New Orleans Brewing Company has been, and send us your check for \$50.

"Thanking you in advance, we beg to remain, Yours very truly,  
"JOHN WENKLER, Chairman of Committee.

"P. S.—Address reply care August A. Busch & Co." (TB-208.)

On 2-2-04 O. Paget reports partially as to his poll tax activities, etc., as follows:

"I respectfully submit a brief epitome of the work done by this office during the month of January. Anything like a detailed report would occupy too much space, and seem like an exaggeration, but any person who may care to make an investigation and compare the facts and figures in the various counties, and especially in the cities visited by the writer, and the tax collectors' receipts of last year will find an increase in round numbers of 30 per cent over last year's figures.

"This office sent into the various cities in the State of Texas 10,000 cards, in quantities of from 100 to 500, to about 150 different towns, with a letter accompanying each, requesting that they be posted up, and that any expense attached to same would be paid at this office. How well the request has been responded to is evidenced by the results shown.

"This office also issued 4,500 circulars, signed by two labor unions of the State, enjoining upon the men engaged in the liquor traffic to not only vote themselves, but insist that their employers vote, and solicit all their patrons.

"The office sent out requests to every person engaged in the liquor traffic in the State for information relative to who were paying their taxes, whether the anti or prohibitionists predominated in the poll tax lists, and what the chances would be for a prohibition election in their locality during the coming year. To these we have had between 1,500 and 1,800 replies from almost every county in the State, and when the same are tabulated, which will take considerable time, we can pretty closely approximate what our chances of success are in the several counties.

"It would not be within the scope of a short report of this character to go over the entire work of the writer, but I will say briefly that the 4th and 5th were spent in Marshall; a portion of the latter day being devoted to Longview. Marshall was absolutely unorganized, and the public was totally indifferent as to poll tax matters. A speech was there made before the leading citizens, including every saloon man in the city. The Mayor and others were interested; an organized effort was then and there made to have poll taxes paid, and the reports from Harrison County show good results.

"The 6th, 7th and 8th were spent in Dallas. Much difficulty was experienced in that city in getting the Tax Collector, Jacoby, to come to the views of our friends. He positively and point blank refused to take any action relative to the putting out of men or opening auxiliary offices. We got in communication with the Attorney General and



received from him extended opinion relative to the legality in the sending abroad men for the purpose of collecting money and taking receipts and sending the poll taxes later. Considerable work had to be done with those men. The labor organizations separately and individually were waited upon, and the pressure brought to bear by those organizations, as well as the business men of the city through the Commercial Club and the political adherents of the Tax Collector, finally, about eight days before the closing of the polls, induced Jacoby to come off his 'high horse' and do as requested by the majority of the citizens.

"The 9th was spent in Galveston.

"The 10th and 11th were spent in Houston. Two speeches were made in that city upon the various days, and an effort was made to induce the labor organizations of Houston to take the lead in issuing a circular over the seal of labor to the saloon men in the State requesting them to pay taxes. This is the first time that labor, as a body, ever joined hands with the anti-prohibition movement, and the result in the County of Harris as well as Galveston and all labor centers is something to be proud of.

"The 12th and 13th were spent in Beaumont. This city was somewhat in the condition of Dallas, not a hand or voice had been raised to induce the people to pay taxes. Interviews were had with the various city and county officials, the Tax Collector and the leaders of the labor movement. The result of this work is seen in the enormously increased taxes in the city of Beaumont over last year, although the population has vastly diminished.

"Part of the day of the 14th was spent in Houston, and the night of the 14th in going to San Antonio.

"The 15th was spent in San Antonio, and you are respectfully referred to Mr. Max B. Meyer of that city as to the work done in the county seat of Bexar County, not only in a public speech, but at a meeting of the heads of the labor organizations, was the work outlined, which resulted in a magnificent tax roll which Bexar County shows.

"The 16th was spent on the road to Dallas.

"The 17th was spent in Dallas.

"The 18th was spent in Fort Worth, where the work had been very well done by our friends, of whom Mr. Zane Cetti was the chief, and if the other cities had worked as intelligently and had taken the work up as orderly as Mr. Cetti, I believe that marked as the results are in the various cities, even a larger percentage of tax payers would have taken out their receipts.

"The 19th and 20th were spent in Hillsboro and Waco. The labor organizations in Waco were worked upon, and the tax receipts show that they kept their word.

"Waco was the hardest proposition that was encountered in the entire State, as the Tax Collector of that city did everything that he could do to prevent the payment of taxes by the friends of anti-prohibition and laboring men. The action of the County Judge is a matter of public record and the refusal of the Tax Collector to at



any time open auxiliary offices or put out extra collectors is a matter of public print.

"The 21st was spent in Galveston, where the labor organizations were again interviewed.

"The 22nd was spent in Houston, and a speech made to the largest assemblage of labor men ever held in the city of Houston, at least it is so reported by the heads of the organization.

"The 22nd and 24th were spent in Dallas. On the 23rd the writer attended the Democratic convention, which was held in the Oriental Hotel, and on the 24th again had a meeting with the labor leaders.

"The 25th was spent in Waco, on the night of which an address was made to a mass meeting of the labor leaders.

"The 26th was spent in Houston rounding up work left unfinished, and Galveston was reached on the 27th, since which time the writer has remained in the latter city.

"While in Waco, on the second occasion, the writer secured the insertion in a platform which is being issued by the Knights of Labor, of which there are 223,000 members in the State, of an anti plank, which reads as follows:

"'Are you in favor of equal and just laws regarding prohibition?' And every man who is out for office, before he received a vote of a Knight of Labor, will be required to answer that question.

"In closing this report I can say that the first time in the history of the movement labor is ready to join hands with the anti-prohibition party, and this has been brought about through speeches, circulars and personal interviews both with the leaders and the rank and file. They have been brought to realize that prohibition is an injury to them, and that their friends and their bread and butter lies in the success of the anti propaganda. It is now up to the leaders of the antis to hold labor in line. The work has been done; they are committed in our behalf, and if they fail to succeed, it is because they will be driven out of the field by adverse action on the part of our friends.

"Our expense account for January has been large and would have been larger were it not that Mr. Hugh Hamilton paid for 8,200 of the large cards, and Sam Morgan for 2,000. The Brewers' Association paid the entire expenses of the trip to Marshall, and Mr. George H. Luedde \$10 towards the expenses of the second trip to Waco.

"A pass was received from Houston to Dallas on account of the Democratic convention. The writer was compelled, naturally, in consequence of the men with whom he came in contact, to spend considerable personal cash, no item of same is charged to the expense of the office.

"There is not one cent charged which was not absolutely necessary. The present month (February) will, I believe, show a very marked decrease in expenditures, but the work done in January ordinarily could not be accomplished with an expenditure of ten times the amount if any other mode of securing the benefits had been adopted." (S-1174.)

The following statement about the payment of poll taxes at Beau-

mont is made in a letter from J. T. Kullahorn to San Antonio Brewing Association, 2-3-04:

"I am in receipt of yours of the 1st inst. and beg to hand you herewith sworn statement of Mr. Bernard, which is self-explanatory. It proved that Mr. Hamilton's people did donate \$50. And to my own certain knowledge they donated \$25 more for the same purpose, but to different parties. And I can get the same proof that they did so if necessary. When I asked you for the additional donation of \$50 it was understood between all of the beer agents that their breweries would do the same, but they failed to do so.

"The whiskey and saloon men made liberal donations. Wright & Taylor of Louisville gave \$50, Garrett & Co. of Weldon, N. C., gave \$50, and Japhet & Co. of Houston gave \$50. We have all worked like 'beavers' and feel safe against prohibition for this year. If your additional donation is not all right you may charge same to my account." (S-1180.)

O. Paget wrote the following to G. Haussman, Texas Brewing Company, 12-22-04:

"We sent you from Dallas five hundred cards with the request that you have them posted up. Please hire a man to do so, putting them in saloons, restaurants, public places, approaches to the city, etc. Whatever expense is incurred please pay it and send bill to me and I will remit. The cost should not be more than one cent a piece, \$5 for posting the five hundred.

"The quantity sent you will be for the city only, and if you will send a man out into the precincts in your county more cards will be sent you. As I wrote you yesterday, the San Antonio Brewing Association furnished us with a list of their agents and we requested you to do likewise.

"Now, Mr. Haussman, I am coming to the meat of your letter. I began this poll tax business in October. If you will carefully read my report for that month, also a report which was made to the Wholesale Liquor Dealers' Association, a synopsis of the year (copy of which is here enclosed), you will see that the poll tax was the center of both letters.

"To the president of the Brewers' Association I have both by word of mouth and letter endeavored to get this poll tax matter started, but he took the view, and a just one, that while the election was pending it would be a waste of material. During the early portion of November this office mailed to every liquor dealer in the State, of every class and character, circulars similar to the one enclosed. As you know, I sent a young man to your city to obtain signatures, and in forty-eight hours after obtaining same the circulars were going through the mail. Through various means I have aroused the various labor journals in the State to take up the matter, and if you will peruse them you will find that the poll tax question is receiving more than its share in every labor journal in the State. Still I am not satisfied by any means with the amount of work done, and believe we should

have speakers in every county in the State, or going from county to county inducing the payment of poll taxes. In my judgment, in which I seem to stand alone, the poll tax is the most important feature which confronts us. Both associations fritter away time and money, which if spent in the procuring of poll taxes for our friends legally and legitimately we would not receive the defeats at the hands of the prohibitionists that we do. You understand, Mr. Haussman, that I am merely agent of the associations and not the director of either. If I were there might be more failures, but there would, at least, be a radical change in the work." (TB-255.)

The following is a letter from S. T. Morgan, Dallas Brewery, to L. Craddock & Company, wholesale liquor dealers, Dallas, 3-2-04:

"Referring to the meeting held some time ago for the purpose of working up interest in the payment of poll taxes, and at which meeting I was authorized to get out workers, and do advertising in the interest of the movement, will state that I paid out \$175 as follows:

Ormond Paget's printing office for cards.....	\$ 30.00
Dallas Trades Union Gazette for advertising.....	25.00
Dallas Commercial Club for labor.....	24.00
Charles D. Puckett, labor.....	10.50
Lee Proctor, labor .....	10.50
Frank Wheat, labor .....	15.00
T. J. Adair, labor .....	15.00
J. W. Parks, labor.....	15.00
O. R. Starks, labor .....	30.00

Total . . . . . \$175.00

"With the exception of the printing and advertising, the above amounts were paid through Mr. W. J. Kain and the Commercial Club, who arranged with the men to go around and urge the people to pay their poll tax. A fair division of this expense I think would be as follows:

Anheuser-Busch Brewing Assn.....	\$ 33.35
The Wm. J. Lemp Brewing Co.....	33.30
Frank Hamm .....	15.00
Dallas Brewery .....	33.35
E. Eppstein Co. ....	20.00
Swope & Mangold .....	20.00
L. Craddock & Co.....	20.00

Total . . . . . \$175.00

"If the expenses as I have pro rated above meets with your approval, I will thank you to send me check for amount opposite your name." (DB-85.)

Excerpt from the general report of O. Paget to B. Adoue and sent to all brewery members, dated 10-10-04: (The following paragraph covering month of January, 1914.)



"The work done in your office this month was the only work done in the State urging the payment of poll tax. It sent out two letters to every man engaged in the traffic and got replies, which were tabulated, showing the feeling in every community in the State regarding the tax. Copy of this tabulation was sent to every member of your association—over 12,000 large poster cards urging payment was sent to every city in the State and men engaged to hang them up. The writer went to Dallas, organized the labor leaders for payment of taxes, made speeches there before the organized bodies. Same in San Antonio, Houston, Waco, Beaumont, Fort Worth, Hillsboro and Galveston—respectfully refer you to my detailed report of this month, written February 6th. It was conceded by labor and political leaders as the best work ever done in the State and saved many counties from the curse of prohibition." (TB-239.)

Excerpt from the general report of O. Paget for December, 1904:

"The office sent out a great deal of literature, mostly done in Dallas, paid for by the brewers, who also issued 20,000 large cards urging the payment of poll taxes. These cards are going to every town and hamlet in the State. The expenses so far attending same have all been met by the brewers.

"The work will take about five days more to complete.

"To give anything like an idea of the work done in the office during the month of December would extend this report beyond limit, but for many nights the office worked till midnight.

"There are many things to recommend for January and February. In these two months the liquor and beer interests will be on trial for their lives in the House and Senate and great care will have to be exercised in the handling of the subject. One factor and a dangerous one is that the laboring vote has been so worked upon by interested parties that if not checked they will join the pros in some measures, which will work great injury to the traffic.

"Again I call your attention to the poll tax. With the exception of the work done by the brewers, at their order I have every labor journal in the State, as well as one or two daily papers, carrying in each issue advertisements and other articles written or inspired by this office. I have traveled in this interest many miles, as my report to the brewers will show." (TB-251-2-3.)

Letter of O. Paget to the members of the Texas Brewers' Association, 12-21-04:

"In regard to the poll tax cards, which are being sent out by the association, we respectfully ask that you send a list of available names who, in your judgment, will take an interest in distributing same.

"The San Antonio Brewery promptly responded on the 29th with its list of their agents, and we ask that you will make out a list of your agents in the various places in the State and we will send to each the proper quota.

"It is special and desirable that the names of the parties in dry

and partially dry counties be sent so that they will be prepaid for an election in 1905.

"Asking you to give this your immediate and prompt attention, etc." (S-1735.)

1905.

Excerpt from letter of O. Paget to Otto Koehler, San Antonio Brewing Association, 1-8-05:

"The city of San Antonio is rather slow in the payment of poll taxes. Can we do anything to help? We can have some of the leading labor men in the State go down there and make speeches if you so desire—under orders from Mr. Adoue same will not be done without your permission." (S-1752.)

The following is a letter from the San Antonio Brewing Association to its beer dealer, M. Andrews, Corpus Christi, 12-12-05, marked "Confidential":

"Noting your remarks in regard to the prohibitionists, beg to state that we will take this question up with our State organization, but in the meantime you should look out and see that all of our friends, the fisherman and the rest of the citizens there, take out their poll tax receipts. That is how the opposition work. They get a list of the voters, see those that have paid their poll tax and if they think that they have a majority of those who have paid, they will circulate a petition to hold an election, so you will see the necessity of directing the attention of the saloon men and other friends to the importance of having all the liberal people pay their poll tax, so that they will be prepared to vote when the time comes. The law prevents you from paying the poll tax of anyone, but there is no law to prevent you from loaning a friend the stipulated amount, so get your friends together and take some concerted action in this respect, and in the meantime we will direct the attention of our State organization to the situation." (S-2542.)

Excerpt from letter of John R. Luecker, beer dealer, to the San Antonio Brewing Association, 1-12-05:

"In regards to the letter I received from you today, I beg to say I had about 150 cards tacked up in this city about two weeks ago, the print is in big letters so a person can read same at 100 yards. These cards are distributed in the country, so no one fails to see these cards. It says, 'Pay your poll tax. do your duty; the election in 1906, the most important in Texas history. You cannot vote except you pay your poll tax now. Do not wait till last days and risk disfranchisement.' These cards were sent to me and I tacked them up the same day. I will do all I can in my power. I have all my friends here I know will help me. You may rely on it, I will do all I can. I would have done likewise had you not wrote me. I am glad you did, as it encourages me more to help you along in this matter." (S-1766.)

The following is a letter from the Anheuser-Busch Brewing Association, St. Louis, to the Texas Brewnig Company, Fort Worth, 1-16-05:

"Your favor of the 14th instant is at hand and we beg to enclose you our check payable to your order \$460.50 to cover our one-fourth share of the expense in connection with procuring poll tax receipts. We share with you the hope that by these means the efforts of the prohibitionists are counteracted and that there will be no danger of a local option election being called." (TB-272.)

The following is a letter sent to liquor dealers by O. Paget, 1-17-05:

"By request of the executive committee, I send you this day under separate cover a small package of reminders to

#### PAY POLL TAXES

and beg that you will immediately make out a list of all your customers and send by mail to each three or four of these reminders.

"If you can add anything coming from your firm it might have a good effect.

"As there are only a few days more in which to work, I would respectfully ask that you lose no time in putting this into execution." (TB-273.)

The following excerpt is taken from a letter from Neal Bros., beer dealers, Cotulla, to the San Antonio Brewing Association, 1-19-05:

"In regard to what you all have to say about helping us out on the election, about \$15 would be plenty with other help we can get. We would like to pay about 30 Mex poll taxes. Garcia will help us out on this." (S-1785.)

To the above from Neal Bros., the San Antonio Brewing Association replied, 1-20-05, thus:

"Noting your further remarks, beg to state that we will donate the sum of \$15, stated purposes, and will credit your account with the amount, and trust satisfactory." (S-1791.)

The following is a letter from J. C. Houston, beer dealer, Floresville, to the San Antonio Brewing Association, 1-20-05:

"I learned through our collector that the pros are keeping close watch on the poll tax receipts and if they feel like they are going to have any chance to win they will have an election ordered as soon as the time for paying tax receipts is closed. So I want you to try and see the manager of the Saspamco Co. and try and get him to see if their men want to pay their poll tax, also I think you might see the manager of the brick yard at Calabas. I will say they work a good many men, and both of these managers live in your city. I will also see their foreman and do what I can." (S-1793.)

To the above from J. C. Houston, the San Antonio Brewing Association replied, 1-21-05, as follows:



7 "Noting your favor of the 20th inst., and suggestions contained therein, beg to state that we will see what can be accomplished, but we think you are really the one to handle that. You should get some good, responsible, reputable Mexican citizen, if possible, to go in between there, and pay their poll taxes if necessary, presuming, of course, that they employ a good many Mexican citizens at their works." (S-1795.)

7 Entry Houston Ice and Brewing Company ledger, 1-31-05: "Bar-tenders Union, poll tax, \$25." (HH-5.)

Same entry (AA-41).

Excerpt from letter from O. Paget to members of the Texas Brewers' Association, 2-1-05:

"I herewith present report for the month of January. The work of the writer was almost solely devoted to the poll tax proposition and legislative matters.

"The office was more than busy—night work was the rule rather than exception.

"The entire expenses of the writer in pursuit of the propositions mentioned were paid by the Brewers' Association.

"There was sent to every town, village or hamlet in the State large cards urging payment of poll taxes. At first the wording of (f the cards seemed too strong for some persons, but in the end even the daily papers took up the exact language and used it either in editorials or cartoons. Men were employed in the various counties to put them up in conspicuous places.

"About twelve newspapers were contracted with to carry standing advertisements and editorials bearing on poll taxes, and in the writer's opinion, to the work done in this office is largely due the number of poll taxes paid, which will be found largely below last year. This is an 'off year' in politics, the public is disgusted with the poll tax and its manner of collection, and some effort on the part of the association should be made for its repeal or modification.

"The writer, through labor organizations, is working to that end, but the members of the House or Senate seem to fear tackling it." (TB-284.)

Entry Houston Ice and Brewing Company ledger, 2-4-05: "Thorp and Griffith, colored antis, \$30." (HH-5.)

Entry Houston Ice and Brewing Company ledger, 2-18-05: "A. C. Opperman, poll tax, \$25." (HH-5.)

7 Entry American Brewing Association ledger, 2-18-05: "A. C. Opperman, poll tax, \$25." (AA-41.)

The following letter was addressed by the American Brewing Association to H. Hamilton, Houston Ice and Brewing Company, and Dan Japhet, liquor dealer, Houston, 8-2-05:

"Mr. Lock M. McDaniel called on me several days ago and said that if we would guarantee \$50 for expenses he would bring the negro

convention to Houston. The principal advantage to be attained by the convention being held here is that it would give the anti speakers an opportunity to impress on the negroes the necessity of paying the poll tax.

"I thought favorable of this proposition and now ask that you help the cause by the contribution to make the amount necessary.  
"Yours respectfully,

H. PRINCE.

"(American Brewery, \$15.)" (A-1370.)

The following excerpt is taken from a letter from a committee of saloon men, Gainesville, to the Texas Brewing Company, 8-19-05:

"We are confronted with another local option election, which takes place September the ninth (9th). This is the third attempt by them to make our county dry and they are making this their supreme effort, having all their big guns out in this county making speeches, etc. We feel confident of defeating them, as we are well organized, and in better shape for the fight than ever before. We have kept poll taxes paid up, and have not allowed our fences to get down in any place along the line. If we are successful this time we feel sure they will let us alone in the future, and it is certain that they cannot hold another election under two years, as our last Legislature fixed the time for elections for both the pros and the antis at two years." (TB-402.)

Excerpt from a letter from O. Paget to the Texas dealers in malt and spirituous liquors, 10-18-05:

"The prohibitionists of Texas have declared that they will in the coming year inaugurate, where possible, in every wet or partially wet county in the State a local option election.

"Alarmed at their defeats in so many counties, they are organizing in counties and precincts for the coming conflicts.

"In view of this fact, it is necessary for the trade to protect itself—and the first prerequisite is to

#### PAY YOUR POLL TAX!

"Not only yourself, but urge every employe of yours and upon all of your friends the prime importance of this necessary incident to citizenship.

"The Tax Collectors' books are now open; do not delay; go first next January consider yourself a committee of one to canvass amongst your friends, urge and do not cease urging that they pay their poll taxes.

"In 1906 for every office, municipal, county and State, candidates will be elected, therefore it should not be difficult to persuade the citizen to pay his poll tax, as every voter is more or less interested in some candidate.

"In larger towns it is advisable that the retailers form an association for the purpose indicated." (S-2448.)

Letter from O. Paget to Otto Wahrmond, San Antonio Brewing Association, 11-6-05:

"You will remember that about a week ago I wrote your company asking for a list of the various counties in the State, especially in the dry counties, who, in your judgment, would take a sufficient interest to post up poll tax cards, of which we sent you a large supply to post in your city. I have, up to this date, received no reply from you. This is a very important matter to the Brewers' Association. It takes time and money to get these cards out and is one of the best means to arouse public interest in the poll taxes. I, therefore, ask if you will immediately send to me such list to the best of your ability." (S-2480.)

To the above, the San Antonio Brewing Association replied, 11-7-05:

"Noting your favor of the 6th inst., beg to state that we sent you a list of our agents on the 1st inst., and are at a loss to understand why you did not receive the same. We never delay such matters. Will state, however, that inasmuch as you did not receive it, and as we have a sufficiency of these cards here to permit of you sending some to each of our representatives throughout the State, we will send them direct from here, and we trust that this will be satisfactory to you." (S-2486.)

And to the last above Paget replied, 11-9-05:

"Your valued favor of the 7th hand. Your list has not been received in this office and up to this moment no list has been received except from the Fort Worth Brewery. I believe if I sent you a lot of these cards it would cross lines with those sent from this office, and I therefore suggest that you make duplicate list and send it to me by next mail. I have the list you furnished last year and if I can do no better I will use that one.

"I beg to say, Mr. Koehler, and I say it in all sincerity, that money spent in pursuit of 'high politics' is positively lost if you have no votes to back your candidates. I can perfect arrangements to have the labor organizations of the State take up the fight for us and we are losing time if this is neglected. They did last year in this poll tax matter.

"With the hope that I will receive your list at the earliest possible moment." (S-2497.)

And to Paget's last above, the San Antonio Brewing Association replied, 11-10-05:

"Noting your favor of the 9th inst., beg to state that we are sorry that you did not receive our list of representatives. We enclose herewith another, and will state that in the meantime we have been sending out the notices with request to post in conspicuous places to our various representatives, but we would not have had enough to send to all. We have marked with pencil those to whom notices have been sent, and would be glad to have you attend to the remainder, as that seems to be the desire." (S-2498.)



Excerpt from letter, O. Paget to the Texas Brewing Company, 11-11-05:

"As to these poll tax cards—they are the best means that I know of to reach the voters and I regret to say that not one brewery, except yourself, has responded to my request for a list in the various counties. I have in my possession lists which I used last year, which, if I cannot get any others, I will use.

"I wish that I could impress upon your association the VITAL IMPORTANCE of having the poll taxes paid. Our people may spend hundreds of thousands dollars, if necessary, in the selection of good men to represent them in the next Legislature, but if our friends have not paid their poll taxes and cannot vote it is of no avail.

"I appeal to you, as a man of mature judgment, in this matter and I wish that you would lend me your aid in urging upon your association the importance of the poll tax matter. We have broken into the prohibition ranks in the dry counties and if we can get the poll taxes paid we can reclaim a large portion of the State in 1906." (TB-437.)

Excerpt from a letter from San Antonio Brewing Association to its Austin agent, P. L. Meyer, 11-12-05:

"Do not fail to see that the cards sent you are posted in conspicuous places throughout the city, in the saloons as well as elsewhere, and keep up the agitation among our friends to be sure and pay their poll tax, which is the first prerequisite to the retention of personal liberty! You cannot lay too much stress upon this! Under the law we cannot pay the poll tax of others without laying ourselves criminal liable, but you may say to Mr. Martin and other friends that the Brewers' Association of the State of Texas is not idle, and will do their full duty in the premises, of that we can assure you. In this connection, noting the desire of our good friends, Messrs. Connelly and Miller, to push Schlitz beer, beg to inquire if you could not talk them out of this? Have you ever directed their attention to what we are doing to ward off adverse legislation and to defeat local option and prohibition in this State? Have you ever directed their attention to what the foreign brewers have donated to this good cause? If you have not done so, we would appreciate your attention to this and ask that you kindly advise us the result." (S-2502.)

To the last above, P. L. Meyer, Austin, replied, 11-15-05, as follows:

"The cards have been received, and as instructed, have posted them in every saloon, also non-customers of ours. Have sent some to country places like Sprinkle, Onion Creek, South Austin, Barton's Creek, St. Elmo, Fort Prairie and McNeil, and other conspicuous places about town." (S-2507.)

The following is a letter from M. Z. Smissen, Fort Worth manager for August A. Busch & Co., St. Louis, 12-20-05, to Aug. A. Busch & Co.:

"Arrangements are being made here now in order to secure a

proper vote next year, tending towards furnishing assistance to the right parties in the payment of their poll taxes.

"I was approached on that subject, and as it is well not to give the matter too much publicity, I told Mr. Zane Cetti to communicate with you in behalf of this branch, prompted, of course, further by the fact that my term of office here is rather short. You will undoubtedly hear from him on that subject, and even if you don't hear, it would be best to handle this delicate matter through him, as he is fully conversant with everything." (TB-471.)

The following letter was written by O. Paget to Otto Wahrmund, San Antonio Brewing Association, 12-11-05:

"The prohibitionists of La Salle County are endeavoring to bring on a prohibition election. You are also aware, of course, that the dominating factor in that county is the Mexican vote. I am in communication with some of your friends in Cotulla, and they tell me that they cannot induce the Mexicans to pay their poll tax, claiming that they have not the money to do it. You are probably better aware of the financial condition in that county than I am and can therefore determine whether this is true or not. I deem it advisable that some steps be taken in this matter. The county paid last year a little over 600 poll taxes. It is safe to say that there are 250 Mexicans in La Salle County who would pay their poll tax if they had the money.

"If there is any suggestion that you can make along this line I would be glad to have you do so. You can, perhaps, get into communication with the Cotulla people. I can give you the names of my correspondents, or any other way satisfactory to you." (S-2537.)

To the last above, the San Antonio Brewing Association replied, 12-12-05, as follows:

"Your favor of the 11th inst. to Mr. Wahrmund is noted in his absence, and will state that I appreciate your advice and suggestions, and will act on same by sending one of our representatives to La Salle County in the next day or so.

"As soon as I have ascertained conditions, may have occasion to address you again on this subject." (S-2543.)

Paget wrote the following letter to M. Andrews, beer dealer, Corpus Christi, 12-13-05:

"I have received a letter from the San Antonio Brewing Association in which they tell me that your county is liable to be involved in a local option election. From the information which we have in our office, I believe that if the election is called between now and the first of February the prohibitionists will win, as very few Mexicans pay their poll taxes. I, therefore, suggest that you put forth every effort to have every anti in the county pay his poll taxes, and if there are any labor unions in your city we can have one or two of the leading labor men in the State go down there and make speeches and otherwise arouse interest in the payment of poll taxes.

"I sent you one hundred poll tax cards, which I hope you have had nailed up by this time. If you need any more of them let me know and I will send them. If the County Clerk is friendly to the anti cause he can give you some valuable information as to who have paid their taxes. We know that the Methodist and Baptist members of your community are being very quietly worked by the preachers, local and foreign, to pay their poll taxes, as it is part of the prohibition propaganda.

"Any assistance that this office can render you will be done promptly and with pleasure. If you deem it advisable I will come and discuss the situation with you.

"Let me hear from you at your earliest convenience." (S-2545.)

On the same date Paget wrote the San Antonio Brewing Association on the Corpus Christi matter as follows:

"Your valued favor of the 12th inst. this day received and contents noted. I have taken the liberty of writing to your correspondent in Corpus Christi and enclose you a copy of my letter, so you can see what I am doing and that our 'lines do not cross.'

"I sent Mr. Andrews of that city one hundred poll tax cards and if more are necessary we will be more than glad to send them.

"There are several counties in the State, where your interest is immediately affected, in which elections are slated for next year. If you desire a list of same I will take pleasure in sending it, and effective work should be commenced immediately in these counties. The pros are determined to carry the war into West Texas next year and especially where the Mexican population is large, because they are well aware that these men will not pay their poll taxes. This is a very serious matter for all concerned and especially for your interest.

"Should you care to correspond further on the subject, I will be glad to give you all information in my power." (S-2547.)

To the last above from Paget the San Antonio Brewing Association thus replied, 12-14-05:

"I am in receipt of your esteemed favor of the 13th inst., with copy of letter written to Mr. Andrews of Corpus Christi, for which I thank you, having perused the same with interest, and will state that I have urged him along the same lines.

"Noting and appreciating your further remarks, beg to say, yes, by all means send us that list of counties to which you refer as likely to be affected, so that we may start the work of organization as soon as possible. We must be up and doing, and should not lose a minute, so if you will send same at once I will thank you.

"If you hear any more from Corpus please keep us advised, and when our man returns from La Salle County I will write you the result of his visit." (S-2550.)

Paget thus wrote Otto Koehler, San Antonio Brewing Association, December 18, 1905:



"I enclose a copy of a letter which I sent to Wm. White of Austin, also enclose you his letter to me—both speak for themselves.

"Some of the labor leaders are in this city today. I will have a conference with them and one or more of them will go to Austin and work upon the labor element to have them pay their poll taxes. You can readily see the importance of keeping the capital city of the State wet.

"The Corpus Christi matter is becoming serious. It will be necessary for us to help our friends in that county." (S-2554.)

W. R. Bolin, Orange, as president of the "Local Liquor Dealers' Association," wrote the following letter to the American Brewing Association, December 23, 1905:

"We are expecting to have another prohibition fight on our hands in the near future, and it will be necessary for us to spend considerable money in paying poll taxes for voters who are friendly to us and in defraying other expenses which are necessarily incident to such a fight, and if you can help us out in the manner we will appreciate it very much.

"You can send check to our secretary, W. C. Woods, or to me. Hoping to have your assistance in this fight." (A-1493.)

The American Brewing Association responded to the above request by contributing \$75, as shown by its ledger entry, as follows:

"January 17, account W. R. Bolin, Orange, receivable account subscriptions to O. Dealers' Assn., \$75." (AA-41.)

Letter from O. Paget to members of the Texas Brewers' Association, December 27, 1905:

"We send you under separate cover a small package of 'reminders,' which please enclose in your correspondence to your patrons.

"The necessity for prompt action in the payment of poll tax is eminent, and we sincerely hope that you will personally urge payment, as the prohibitionists intend to make things very lively after the first of February." (TB-475.)

To the above the San Antonio Brewing Association replied thus, December 29, 1905:

"We are in receipt of your favor of the 27th inst., also received the package of 'reminders,' which we will distribute as suggested, with pleasure. Will state, however, that in order to make same complete, we think you should have added 'Last day for payment, January 31st,' as per sample herewith. While it is true that the date has been pretty well advertised, still we think it would have been better to have inserted it also in the 'reminder.' " (S-2569.)

And to the last above from the San Antonio Brewing Association, Paget replied, December 30, 1905:

"Yours enclosing 'reminder' received. The last day for payment

was purposely left off because, if the average saloon man thinks he has thirty days in which to pay he will 'forget' all about it and only remember that 'it is time enough yet.'

"What do you think of sending another circular out to each retailer? Please let me know by next mail." (S-2572.)

And to Paget's last above, the San Antonio Brewing Association wrote, December 31, 1905:

"Noting your favor of the 30th inst., beg to state yes, by all means send out circular to each retailer! I cannot impress this on you too strongly, and sincerely hope that you will attend to this at once!" (S-2573.)

Letter from O. Paget to members of the Texas Brewers' Association, December 29, 1905:

"We send you herewith copies of the names of counties in which elections are almost certain to occur in the year 1906. Study the lists carefully.

"There are some counties in which special efforts should be made to induce the antis to pay their poll taxes. Some of these counties are now wet, viz.: Jefferson, Tarrant, Dallas and Travis. The dry are: Ellis, Denton, Collin and Bosque.

"There are not many days intervening between in which the taxes can be paid, and advantage should be taken of every hour.

"The poll tax question is the crucial one. You may be able to select the best man in the State for the Senate or Legislature, but if you do not have the votes to elect them, of what avail is it?

"The 'reminders' sent in a previous mail may help a little, but it needs quick and vigorous action to obtain the desired result." (TB-477.)

1906.

The following letter was sent by Paget to all liquor dealers, January 5, 1906:

"The records of the several counties show a lamentable tardiness in the payment of poll tax. This is remarkable because of the fact that candidates for all State, county and city offices will be voted upon in the year of 1906.

"The prohibitionists are lining up and declare that they will put candidates for all offices in the field, therefore, if the true Democrats, lovers of personal liberty, do not want to be voted out of political existence they should be in a condition to meet the enemy at the ballot box, and the first essential is to

#### PAY YOUR POLL TAX.

"Aside from the duty of every man to be in a position to take part in the government of his city and State, it is a matter of self-defense that every man should be in a position to protect his business and property from unjust attack at the ballot box. We, therefore,

urge upon you the necessity of, AT ONCE, paying your poll tax and urging upon your friends to do the same.

"Do not wait till the last days. The time expires on the 31st instant. To prevent accident PAY NOW and constitute yourself a committee of one to induce to pay." (TB-479.)

The San Antonio Brewing Association, January 5, 1906, thus wrote Louis Kieffer, beer dealer, Del Rio:

"We are reliably informed that since our defeat in Uvalde County that it is the intention on part of combination of preachers to attempt to do the same thing in your county.

"In view of this, it is of the greatest importance that we get all of our friends to pay their poll tax and to see especially that the old people take out their exemption certificates which will permit of their being able to vote.

"There is no time to be lost, and certainly no votes to be lost, therefore we crave that you give this your immediate attention." (S-2578.)

The following is a letter from I. M. Gary, agent of San Antonio Brewing Association, Beaumont, to San Antonio Brewing Association, January 9, 1906:

"The association met here last night to consider the poll tax matter. They have about \$1,200 available at this time. More than that will be required. Estimated that \$2,000 or more will be needed. A committee has been raised to go to Houston and interview other breweries and I was delegated to write you on the subject. What do you feel inclined to contribute to the cause?

"Kindly advise me on receipt of this, as we meet again Thursday, 11th inst., and I would be pleased to be able to report." (S-2585.)

And to the last above the San Antonio Brewing Association replied, January 10, 1906:

"Noting your favor of the 9th inst. relative contribution, stated purpose, beg to state that we appreciate the situation and importance of the matter, and the writer advised you fully over the phone in regard to the matter, and trust that you will be governed accordingly. We await your further kind advice, and remain." (S-2590.)

The following is a letter from the San Antonio Brewing Association to O. Paget, January 11, 1906:

"For your information, I have pleasure in handing you herewith copy of letter that we have this day addressed to our various agents throughout the State. My impression is that it should have a good effect!" (S-2591.)

The San Antonio Brewing Association on January 11, 1906, wrote the following:



"To All Agents:

"We have it on the best of authority that the PROHIBITIONISTS encouraged and emboldened by their success in North and East Texas will pursue a systematic course, and will direct their special efforts and give their particular attention to our section of the State this year, therefore, it behooves us to be on the lookout and to immediately take such action as will thwart them in their efforts. Of prime importance to us in this connection, and a matter to which you should give your immediate attention, is proper organization. Call on your friends, the business men especially that are in sympathy with our cause, and see that the proper organization is at once effected. They will be in a position to defend their rights at the appointed time! In addition to this, see that all of our old friends take out their exemption certificates, so that they also will be in a position to aid our cause. The prohibitionists have secret emissaries at work who are closely studying the conditions of each county, and they are making a special study of those who are entitled to vote, and when they find by comparison that there is a chance of having a majority over the antis, they will at once petition for an election to be held on local option! Do not be caught napping and as stated take immediate action to offset their efforts. As an evidence of what apathy may cost us in this direction, we cite you to the case of Uvalde County, which was recently voted dry by 56 votes. We had a majority in the town of Uvalde of 137 votes, but unfortunately our people had not taken out their poll tax and were not in a position to vote, whereas the opposition had worked things so nicely that they voted their full strength to a man!

"Please do not cast this warning aside lightly. Give it the serious consideration that it deserves, for we have but a few days left us now, until February the 1st, '06, in which to prepare for the strife that is sure to come. Be up and doing, for in your watchfulness is the price of liberty! Now is the accepted time, and as stated, we cannot impress this on you too strongly! If in doubt, consult us; at any rate, let us know that the proper interest is being manifested. Acknowledge receipt of this letter, and favor us with your views, and very much oblige. Yours truly, O. K.

"Delegate the proper committee to call on the County Collector to ascertain who have taken out their poll tax and determine of those who have paid which are pros and which antis. Then call on the County Clerk for a list of the eligible voters and find out which antis have been derelict and insist on their taking out their poll tax, so that, etc." (S-2592.)

To the circular letter copied last above W. S. Hoover, Lampasas, replied as follows, January 12, 1906:

"In reply to yours of recent date warning us in regard to payment of poll tax will say that we will leave nothing undone. We have a hearing on 17th inst. in Austin and will know then if our election holds good or if we will have another one. If you have any 'strings you can pull,' please pull them, as another election is dangerous, and VERY expensive." (S-2594.)

To said circular letter E. A. Griesenbeck, Lockhart, replied, 1-13-06:

"Your favor of January 11th, 1906, to hand and noted. Beg to say you are perfectly correct in the matter. We have made every effort to have the antis go and pay their poll tax, which they have done. I have posted cards sent me by my friend, Capt. O. Paget, Galveston, also had one newspaper to urge the tax-paying element go and pay your poll tax, also our daily paper is column after column asking to pay taxes. Nevertheless, we are working in quiet way.

"We expect the pros to order an election in November to be holden in December, which time expires for two years." (S-2598.)

To said circular letter Teofilo Crixell, Brownsville, Texas, replied, 1-15-06:

"Yours of the 11th inst. to hand, noting contents. In reply will say that at present we don't think that our section of the country is in any danger of the pros getting hold of us, as we have a few of them here, but, taking your advice, we will be on the lookout, as we have always been.

"We do not see any danger at present, as we have interviewed the leading business men and politicians of the country not only in our, but in the adjoining county.

"I have every year since we have been in business here been careful and have paid poll taxes for my friends that are not able to do it, and request the men working for us to do so. If there is a change in the future we will let you know at once, but at present, as I said before, there is no danger at all." (S-2611.)

And to Crixell's letter last above the San Antonio Brewing Association, 1-17-06, thus replied:

"We appreciate the favor, as well as your kind advice, and the interest taken in our letter in regard to the poll tax payments. We are glad that conditions are as you state in that section, but it is well to be on your guard at any rate. Later on it may be necessary for the antis to show their strength collectively in the State, and while your district might not be affected if it was a local issue, still, on the other hand, if it is made a State issue, then every anti vote will count, no matter in what section it is. Hope you will understand." (S-2626.)

To said circular letter of 1-11-06 John Kolodzie, Karnes City, replied as follows on 1-14-06:

"Your favor of recent date relative to local option question to hand and contents carefully noted. In reply I would beg to state that the request will be carried out and should such a thing happen again as prohibition election in our county we will wipe them out worse this time than heretofore. However, our people that are our friends are not asleep. We keep awakened with the opposite side. Hoping that this will be satisfactory for the present and should there be

anything at any time turn up we will promptly advise further. With kindest regards, I beg to remain." (S-2606.)

To the circular letter of 1-11-06 C. J. Spittal, Port Lavaca, thus replied on 1-15-06:

"I am in receipt of your letter issued as circular in respect to the payment of poll tax notification. I shall endeavor to the best of my ability to look after the matter, in as quiet a way as possible. I do not anticipate the least trouble in this county in regard to this business, but as you say, it is as well to be ready." (S-2612.)

Excerpt from letter from San Antonio Brewing Association to John R. Luecke, beer dealer, Schulenberg, 1-14-06:

"We appreciate the kind interest manifested by you in looking after the payment of poll taxes. That is right. Keep up the good work, as it is very important." (S-2605.)

Excerpt from letter from San Antonio Brewing Association to H. V. Delagneau, beer dealer, Rockport, 1-15-06:

"We thank you for the interest which you have manifested in the poll tax matter, and will send you some attractive advertising matter in this car, have no calendars." (S-2607½.)

Letter from Charles Heinen, beer dealer, Kerrville, to San Antonio Brewing Association, 1-15-06:

"I have returned yesterday from Rock Springs, and beg to state that I found the people up there willing to organize, the saloon men, County Clerk, Sheriff and the leading business men will get up a fund and will help those who are not able to pay their poll tax, especially Mexicans (they have about 50 GOOD Mexican votes in the county); they also expect that the business houses they are dealing with to help them. Will you see the Lone Star Brewery about it, or shall I subscribe? The County Clerk will let me know how much it takes, after February 1st.

"I have your favor of the 11th inst. on hand and will do all I can. I wrote a letter to the saloon men in Junction City in regard to that today and I hope they will organize, and work like they do in Rock Springs." (S-2608.)

To Heinen's last above, the San Antonio Brewing Association thus replied, 1-17-06:

"We are in receipt of your esteemed favor of the 15th inst. and appreciate prompt attention given our request. We are glad that the Rock Springs people are now alive to the situation, and will make an effort to protect their interests.

"We have spoken with the manager of the Lone Star, Mr. Bruhn, and he states that he will address you. Better take up with them, and remind him of this." (S-2624.)



To said circular of 1-11-06 Carl Kirchner, joint agent of Houston Ice and Brewing Company and San Antonio Brewing Association, El Paso, replied, 1-15-06:

"Your letter regarding the payment of poll taxes, prohibition, etc., received. There was up to the middle of last week only 300 poll taxes paid, but since that time they have been paying up more rapidly, or at the rate of nearly two hundred daily. The delay is on the part of the politicians, who always hold their money as long as possible. Of the 300 that paid up first nearly all were our friends. So far as can be learned there is no movement here in regard to prohibition. There is no stir and no opposition scarcely in politics—what I lay the delay to. Have had the posters received from you, also a plentiful supply from Galveston, tacked up in conspicuous places.

"I have also called on some of the candidates and county officers and they think the payment of poll taxes will be heavy from now on. Last year there were 3,500 paid and 2,000 by this time of the month, but then it was a very hotly contested election. The Republicans were trying to elect a Mayor. I will make a sound tomorrow of all our customers and try and urge them to pay their poll taxes. Any suggestions you can make will be promptly carried out." (S-2610.)

To Kirchner's last above the San Antonio Brewing Association replied, 1-18-06, as follows:

"We have nothing further to suggest in the poll tax matter. You have done all in your power, and we thank you very much for kind attention." (S-2632.)

To said circular letter of 1-11-06 A. J. Barthelow, San Antonio Brewing Association agent, Laredo, thus replied:

"With reference to yours of 11th inst. will say that the independent or Republican party, to which I belong, have registered or taken out 1,071 poll taxes up to yesterday, and the reform party, which is allied with us, have taken out 371 and will get 50 more before registration closes. We are registering at the rate of 25 per day and will continue as long as there is material to work on.

"Another party here who call themselves the Free Thinkers have not shown their strength; they have only taken the names of those they think will favor them at the coming elections. They are composed of parties who expect to be dropped by the independent party and others put in their places. If they develop sufficient strength they will register their people and if not I do not think they will make the attempt at opposition, as it costs a good lot of money for poll tax.

"There are no prohibitionists in our party, none in the reform and I do not think there is any in the Free Thinkers.

"While the Free Thinkers have their followers and sympathizers locally, they would be dropped like a hot potato if they undertook to play at prohibition." (S-2616.)

The following letter was written by O. Paget to Texas Brewing Company, Fort Worth, 1-17-06:

"Yours received containing a letter from J. W. Kitchen, dated January 5, from Henderson. This is a very long time, Mr. Hausman, to delay action on this letter. I suppose the rush of business prevented it going into your hands earlier—I see it reached your desk on the 9th. I have long been aware that an election was slated in Rusk County and have tried to stave it off until after the poll taxes have been paid.

"The last election was held on the 9th day of June, 1903—total vote cast 1,364, with 216 pro majority. To overcome that majority will not be an easy task.

"I am going, Mr. Hausman, to speak very frankly. I believe these men should have assistance in paying their poll taxes if you want the county to go wet. Ten dollars spent in this way would save one hundred in making a contest when the election comes up and the election is going to come up.

"As agent of your association I cannot promise one dollar for purposes mentioned, but so far as I know there is no objection made to the manner in which an individual brewery assists its immediate clients; therefore, if you say so I will go and meet Mr. Kitchen or have him meet me and lay down some plan by which his friends could be induced to pay their poll taxes. There is no time to be lost, and if you wish me to do so wire me upon receipt of this and say to what extent we can aid them. I will not write to Mr. Kitchen until I hear from you, therefore, I request that you answer immediately and by wire the moment that this is received, saying what you want done, and I will then write accordingly to your client." (T-488.)

To the above the Texas Brewing Company replied on January 17, 1906, as follows:

"We will assist Mr. Henderson with hundred dollars and hundred fifty more if local option is beaten. Magnolia Brewing Company should do likewise." (T-488.)

And on 1-21-06 O. Paget wrote the following letter to the Texas Brewing Company:

"Immediately upon receipt of your telegram of the 18th I got into communication with your correspondent, J. W. Kitchen, who sent me the enclosed telegram on the 20th. I went to Houston on the 21st and in the office of the Houston Ice and Brewing Company and in the presence of Mr. Hamilton we discussed the situation in Rusk County.

"From his showing and all documents in his possession it is very evident that there is more than a fighting chance in Rusk County. Good men are at the head of it and it is more than likely that Col. Buford will take charge of the campaign for the antis. Messrs. Kitchen, Buford and others deemed it best in view of the fact that an effort would be made by some friends to induce the payment of poll taxes, for me not to go into the county until after the poll tax payments and a list of tax payers obtained, which would be between the second and sixth of February.

"After going over the matter in detail Mr. Hamilton advanced

\$100, and acting upon your telegram I advanced for you \$100. I enclose you the receipt for same and you will notice that it bears upon its face the purpose for which it was given, 'Campaign expense in Rusk County,' which is absolutely legitimate, where to advance same to pay poll taxes would not be. We have the situation as well covered as is possible at this time.

"Please send check to cover the amount advanced (receipt enclosed), and oblige." (T-491.)

Mrs. Turner of Waco, beer dealer, wrote the following letter to Texas Brewing Company, Fort Worth, 1-18-06:

"I am in receipt of your favor of the 17th inst. and note what you say with reference to paying poll taxes, as to putting my influence into effect with my friends and customers (which I would be glad to do). I deem it not necessary if you contribute your donation through Mr. Luedde, judging by his past management." (T-489.)

To said circular letter of 1-11-06 from San Antonio Brewing Association, E. C. Find, beer dealer, New Ulm, replied as follows, 1-19-06:

"Am in receipt of letter in regard to prohibition movement. Will attend to the matter as per your request, although there is no danger in our county." (S-2633.)

To the last above, from E. C. Find, the San Antonio Brewing Association replied as follows, 1-23-06:

"We are just in receipt of your esteemed remittance by express, \$300, for which our best thanks. We appreciate the favor, also the kind interest taken by you in matter payment of poll taxes." (S-2649.)

The following is an excerpt from a letter from M. Andrews, joint beer dealer for San Antonio Brewing Association and Lone Star, Corpus Christi, to San Antonio Brewing Association, 1-22-06:

"When Mr. Fresenius, the Lone Star man, was here I showed him and we counted the number of poll taxes I had advanced the money to some of my friends who were unable to pay, and he told me he would tell you and also the Lone Star. I have paid 60 already. And if you want me to pay any more let me know at once." (S-2645.)

Letter from San Antonio Brewing Association to Seargeant & Veltmann, Brackettville, 1-22-06, about poll taxes:

"We addressed you twice recently in regard to the possibility of a local option election in your county, and asked that you kindly favor us with an expression, but so far without reply. This is very important, and we would feel or know that the matter is having the serious consideration that it deserves, especially so, as we note from the newspapers that very few poll taxes are being paid in your county. If you think it would accomplish anything we could send one of our men



out there to aid you with suggestions, help in organizing, etc., but please let us hear from you." (S-2646.)

Excerpt from letter San Antonio Brewing Association to A. F. Jecker, beer dealer, Goliad, 1-26-06:

"We thank you for attention to the poll tax matter. The opposition will be quiet as long as we are in the majority, but the minute they find from inspection of the list of those who have paid their poll tax that they have any chance, you will find that they will not be very quiet, so better be on your guard." (S-2657.)

The following is a letter from G. H. Luedde, Waco, manager for August A. Busch & Co., to San Antonio Brewing Association, 1-26-06:

"You will please send me exchange for \$250. I have up to the present time paid out \$500 to the parties at Temple, \$250 for each one of us, and provided they need more for the poll tax campaign I will pay it to them. If not, we will hold the balance of the \$250 each that we agreed to pay for election purposes, the election taking place shortly after this poll tax campaign is over.

"Hoping this will meet with your approval, beg to remain, etc.

"P. S.—Tear this up." (S-2658.)

To the last above from Luedde, the San Antonio Brewing Association replied, 1-27-06, as follows:

"I am in receipt of your recent favor, and have pleasure in handing you herewith exchange for the sum of \$250 for value received, as per your letter. Hope that you may have success. I note post script, and have complied with your request." (S-2660.)

The following is a letter from O. F. Haley, wholesale liquor dealer, Gainesville, to Otto Wahrmund, San Antonio Brewing Association, 2-2-06, about the payment of poll taxes:

"Our friend completed his duties, and departed yesterday morning, and we write to state that he did far better than we at any time hoped for. He proved to be much more than we thought he would, and when we met him we said at once he was the man for the place. His work was in every way satisfactory, and there was never one single question asked, or any suspicion aroused in any way. In our wildest anticipation we could not have framed up anything to equal the way the scheme terminated—it was BEAUTIFUL. We cannot say enough in praise of OUR FRIEND, and he is certainly a deserving man, and will at all times have our best wishes.

"In settling up with the party we asked him what his expenses were, and he advised us that you had given him expense money before leaving there. We told him that in view of the fact that you had offered to give us his services we certainly would not allow you to pay his expenses also. He showed us where his outlay for expenses while here, and back and forth from there, was \$43.60, and we gave him that amount to reimburse him. We also advanced him \$45 for

his personal account, which amount you will take into consideration when settling up finally with him.

"In the beginning we set the number at 200, and he got 269. We are sending you copies of our local papers, and you will observe that there is a healthy increase in the number this year over that of last year. We have watched our fences carefully, and never allowed same to get down any place along the line, and have strengthened it very materially in places, and are in a better position now to guard our rights than at any time heretofore. We have not relaxed vigilance for a moment, nor allowed interest to lag, and have maintained a perfect organization of our forces. This we will continue to do, and propose to be found with our lamps trimmed and lights burning brightly any time they happen to call upon us.

"The 269 we secured through that source, and in addition to that gathered in a goodly number, which accounts for the increase over last year in the totals—at least to a great extent.

"We take this occasion to again thank you for the kindness and aid extended us by yourself and Mr. Koehler, and want you both to know that we duly appreciate what you have done. Personally we wish to state that it has never been our pleasure to transact business with any concern or set of people so uniformly consistent in observing the 'GOLDEN RULE' as yourselves, and we shall never tire of singing your praises. To say that it is a pleasure to transact business with the San Antonio Brewing Association is putting it lightly—it is **POSITIVELY A DELIGHT!**

"Again thanking you for your interest manifested in our behalf, in addition to the material aid given, and with best wishes and highest personal regard, we are." (S-2669.)

To Haley's letter above the San Antonio Brewing Association thus replied, 2-3-06:

"Your esteemed favor of the 2nd inst., addressed to our Mr. Wahr-mund is to hand during his absence in Mexico, and as he is likely to be there for some time I take the opportunity of answering the same, and thanking you in his behalf for your many very kind expressions.

"We certainly do not feel as though we deserved so much praise and in this think that we have accomplished but a plain duty to those who are our friends, are deserving and appreciate fair treatment, and we are only too glad of an occasional opportunity to do a good turn for those who would reciprocate, and it affords us more than ordinary pleasure to see that you are doubly appreciative.

"I note what you say relative the advance of \$43.60 and while it was not our intention to burden you with any portion of this expense, still, inasmuch as you have been so kind, we will let the transaction remain that way, and will credit your account with the sum of \$45, amount advanced our friend for his personal account and will take this into consideration in our final settlement with him.

"I am very glad to note that the gentleman did such good work, and that it was entirely satisfactory to you, and the writer was well aware when he was sent that he would do so, for as my friend Callaghan

remarked, 'He is one of my trusted lieutenants, and one of the best of my force.'

"I am also glad to observe that the outlook is so favorable and that you have been enabled to strengthen your position, and sincerely trust that it may have the effect which we intended that it should have.

"Should we at any time be in a position to serve you is in this or any other respect, or you should have occasion to utilize our services, you have simply to command." (S-2672.)

Excerpt from letter from San Antonio Brewing Association to Beeville Ice Company, 2-3-06:

"We appreciate kind advice in regard to the poll tax payments, and glad that conditions are as stated, but if the people saw that they had a fighting chance, you may be assured that they would use it for all it was worth." (S-2674.)

The following is a letter from W. S. Hoover, beer dealer at Lampasas, to San Antonio Brewing Association, 2-3-06:

"Replying to yours regarding election will say that we will order election just as soon as possible, in about thirty days. We have paid about one hundred taxes and are very sure of defeating them in next election." (S-2675.)

The following letter about poll tax payments in Bell County was written by G. H. Luedde, Waco, manager for August A. Busch & Co., to San Antonio Brewing Association, 2-16-06:

"I called on you some time ago with reference to assisting in Bell County poll tax campaign. When I wrote you a short time ago, drawing on you for \$250, I told you then that I thought we would have some money left out of this fund towards carrying on the election expenses, but during last two days of the time of taking out poll taxes the committee decided the best thing that they could do was to get every one they possibly could to take out a poll tax, and they spent every dollar of the money raised for that purpose, so I was notified today by the committee.

"I met today with the committee of Bell County in the office of Banks & Hair; they have organized and elected Mr. Hamill as chairman of the campaign committee and are today figuring with one of the best posted men in Bell County for their secretary—a man who has been in public office for some time and is well posted—have rented their rooms and everything of the kind and are ready for work. The election is called for March 10th, and the prospects are very good for carrying the county, provided we can hold what we now have. It depends on what the pros do towards rousing sentiment against us. We have figured today on the expenses of the campaign and it will cost at a low estimate from \$3,000 to \$3,500.

"I pledged at least \$500 more for you and us—\$250 each. You understand you are now due us \$250 for the poll tax campaign, as I only drew on you for \$250 and had arranged with you for \$500. I



promised them that this money would be forthcoming at once. Mr. Winn, who is our representative there, advanced the \$500 account of the poll taxes for you and us during the last days of the time of taking out poll taxes.

"I wish you would phone me or wire me that it will be agreeable for you to be assessed another \$250 account of carrying on this campaign. The few saloon men that are there who have been running clubs have put in every dollar they could raise for taking out poll taxes, and what money that is raised must be raised from outsiders.

"I wrote Mr. Adoue today telling him that we must have \$1,000 from the Texas Brewers' Association. You will find copy of letter to Mr. Adoue attached hereto which explains itself.

"Upon receipt of this, call me up by telephone either Saturday, Sunday or Monday up until noon and let me know your wants in this matter, as I am to return to Bell County on Monday at noon to meet with the committee again to show them what we have done in the way of raising money for carrying on this campaign.

"As I have stated to you before, I am confident that the bulk of the business that is done in Bell County will be done by you and us. Of course, there are other brewers that are going to do some business, but we cannot call on them now. I understand today from Mr. Mitchell, the manager of the ice factory at Temple, that the Lone Star Brewery is figuring on doing business in Temple when the county goes wet. When I spoke to you about this a few weeks ago you said you thought you could control that situation and keep them out of the market.

"I hope that you can see your way clear to look into this matter at once and see they do not go into the market.

"Of course, our mutual friend, Hugh Hamilton, will try to do some business, but Mitchell tells me that he done so little before while the county was wet and has done hardly nothing since the town went dry that he thinks the amount of business they will do when the county goes wet again will amount to but very little." (S-2691.)

The letter of Luedde to B. Adoue referred to in the last above is as follows:

"Mr. Paget and I spent the day in Temple and we had a very pleasant and profitable meeting with a number of the leading business men of Temple, there being only one of the club men present, that being Mr. Winn, who is the best worker in that line there is in Temple. The antis have organized by electing Mayor Hamill as the chairman, and are looking out for a first-class man as secretary, and expect to pick him up in the next day or two. They have established headquarters and expect tomorrow to have one-half of the polling list done, and in their hands of the voting boxes of the county, and have sent for a number of leading men from each voting box to call on them tomorrow to arrange with two or three men to take care of each voting box. They will keep on in this work until all the poll tax list has been turned over to them, and arrangements made for workers in every voting box.

"Mr. Pendelton and I figured up with the committee as to what

the probable expenses would be for carrying on the election in Bell County and at a very low estimate it is going to cost from \$3,000 to \$3,500—that is figuring matters very close, it may cost more. Some time ago I took up with the Bell County people the matter of taking out their poll taxes, and I arranged with the San Antonio Brewing Association for them and us to put up \$1,000—\$500 each. They also raised some money from the liquor dealers and some money from the club men and some few citizens. All of this money they have invested in poll taxes.

“Now the question is of raising money for making this prohibition fight. Mr. Rankin has already opened his campaign, having preached in several of the leading churches there during the past week. Granville Jones is there today, and they expect to make the fight of their lives to retain Bell County in the prohibition ranks. You see they carried Bell County two years ago by 480 majority and for them to lose it now would give them a terrible black eye and they realize it.

“Now we must have money to carry on this campaign. I believe that I will be able to raise among the brewers and liquor dealers who are interested in the business in Bell County part of this money, but we must have one thousand dollars from the Texas Brewers' Association. There is no getting around this, Mr. Adoue. You must excuse me for being frank and blunt, but there is no use of mincing words, we have got to have one thousand dollars from the Brewers' Association, and it is the best money that you can spend. Bell County carried for the antis will do us more good than any other half a dozen counties that we can carry. Mr. Paget will in all probability be home again in the next day or so, and you can take this matter up with him, but I would like to hear from you by next Monday morning, because I intend to leave here for Temple on the noon train Monday, that we can expect \$1,000 from you. I have today written to Mr. Wahrmond and also to several of the liquor dealers that they must put up their shares. We must be in a position to assure this committee when we meet with them on next Monday (as Mr. Paget and I both expect to meet with them) that we have the money ready for them.

“We expect on next Monday night at Temple to have a meeting of all parties interested in the liquor business in Bell County, and raise all the money that we can out of this meeting, but as stated before, there are no saloon men left in the county, and the few who have been running clubs are nearly all broke, having given all the money that they could spare for the poll tax assessment, so that we cannot expect to raise much money out of Bell County—the money will have to be raised on the outside.

“So let me hear from you, Mr. Adoue, with the good news that I can depend on \$1,000 from the Texas Brewers' Association, and I will see about arranging for the balance.

“We have also today notified our mutual friend (?), J. B. Rayner, to look after the colored brethren in Bell County, and I enclose you letters from him. Mr. Paget and I have both written to him today to meet us in Temple on Monday. There are nearly one thousand votes in Bell County and we must get every one of them. Mr. Paget tells



me that this will cost \$100—this being what we will have to pay Rayner. He will take this matter up with you on his return home.

"So, thanking you kindly in advance for your prompt reply, and assuring you that we will do everything that we can to win this county, and the prospects are fair if we can bring the people to the polls." (S-2294.)

The following letter about the expense of poll tax payments at Fort Worth was written by Anheuser-Busch Brewing Association, St. Louis, to Texas Brewing Company, 7-7-06:

"Your favor of the 28th ult. at hand, and in answer beg to state that the expense ought to be prorated on the basis of sales, and the other breweries represented in your city as well as the wholesale liquor dealers ought to contribute their share. We understand that the Schlitz Brewing Company has made an allowance to their wholesale dealer, and we can probably collect something from the Pabst Brewing Company. If you will give us the total amount of your sales during 1905, including bottled beer, we can easily apportion the amount which we should contribute." (T-635.)

Letter O. Paget to members Texas Brewers' Association, 11-10-06:

"I take the liberty of calling your attention to the fact that the poll tax books of the State are now open, and it behooves your association to think seriously of some place to have your friends pay their poll taxes.

"Special efforts must be made this time, as it is an 'off year,' no important State nor National election being held. It will, therefore, devolve upon us to be very active in the work of urging the payment of taxes. The other side are losing no time, but have already commenced the crusade in almost all churches and religious organizations.

"A long list of counties could be brought into the anti column if we are active; if not they will be saddled for two more years of prohibition.

"In a few days I will send you a list of counties which can or will hold elections. Meantime I again respectfully ask that you give the matter your immediate consideration and remain." (G-71.)

The following is a letter from O. F. Haley, wholesale liquor dealer, Gainesville, to Otto Wahrmond, San Antonio Brewing Association, 11-30-06, about poll tax payments:

"We want a man to handle matters for us here like before, and I write to ask if you cannot prevail upon our friend to return and spend a couple of months, or such matter, with us. We had rather have him than any one else, but if he cannot come, then we ask that you select some one else and send him to us right away. We want to get at that proposition right now, and will not wait until after next month to begin.

"Now, please to understand that the S. A. B. A. has already done many, many times more than its share, and you are not to be put to



any expense whatever this time. It is my personal wish that you desist from making any donation whatever, or in any manner expending any money at this point, and it will be best that you do not, for we have already told the other fellows that it was up to them to DO SOMETHING. Anyway, please do not volunteer any assistance whatever unless I personally ask it of you.

"Trusting that you will be able to send the same good brother to us, and with best wishes and highest personal regards." (S-2912.)

The reply of the San Antonio Brewing Association to the above, 12-3-06, follows:

"Noting yours of the 30th ult., which I appreciate, beg to state that to get the right man for that particular business is very difficult. The friend to whom you refer has resigned from his old position, and is now in the contracting business, so I do not know if I will be able to get him or not, but have an appointment with the gentleman for tomorrow, and will promptly advise you the result thereof. Hoping to have success, and with kind personal regards, believe me." (S-2919.)

See in connection with the last two above, correspondence between the same parties of dates 2-2-06 and 2-3-06, set out above.

Letter S. T. Morgan, Dallas Brewery, to Texas Brewing Company, 12-13-06:

"We acknowledge receipt of your favor of the 11th inst., enclosing check for \$49.80, in full settlement of your prorata of the expense pertaining to poll tax advertising in Dallas during the month of March, 1906." (T-727.)

Letter O. Paget to members Texas Brewers' Association, 12-17-06:

"I did not intend again to call your attention to the error your association is making in not working up a sentiment about the poll tax. I would not do so now if it were not that evidence has come to this office which indicates that the pros are going to inaugurate an active campaign in 1907 which will result in fastening prohibition upon at least one hundred counties for another two years.

"I, personally, do not care what mode you adopt to derive at the result—you should DO SOMETHING. I give you now fair warning that 1907 will be the most disastrous year to your interests since 1887, except all signs fail.

"Such legislation as is intended by the pros will mean your going out of business if it is successful. George Rankin declares he will attempt the passage of the Tennessee law. I need not tell you what it means and the Supreme Courts have sustained it." (T-730.)

1907.

Letter from E. G. Garcia, beer dealer, Cotulla, to San Antonio Brewing Association, 1-8-07.

"Will drop you a short note in regard to the poll tax proposition,

as there is a great many of the working class of Mexicans that will not pay their taxes unless we make some arrangements for them, and I want to know what you people can help me with.

"P. S.—If we do not make a pretty good showing in the poll tax list we are sure for an election." (S-2957.)

To the above the San Antonio Brewing Association responded with a contribution of \$50, as shown by the following from it to Garcia, 1-9-07:

"We are in receipt of your favor of the 8th inst., and have pleasure in handing you herewith check for the sum of \$50, which amount, we trust, you may be able to use to good advantage.

"Wishing you success." (S-2958.)

Excerpt from letter of San Antonio Brewing Association to P. L. Meyer, its Austin agent, 1-9-07:

"We have written to Mr. O. Paget at Galveston, Texas, asking that he forward you at once a full supply of the poll tax cards." (S-2960.)

Letter San Antonio Brewing Association to O. Paget, 1-9-07:

"I beg to hand you herewith letter from our Austin representative, Mr. P. L. Meyer, which is self-explanatory. Kindly send him a good supply of the cards, and very much oblige.

"While on the subject, beg to state that we sent you some time back a list of our various representatives throughout the State, asking that you send each of them a supply of these cards. Has it been done? Will appreciate your kind advice on the subject, thanking you in advance for consideration." (S-2961.)

The following letter was written by H. P. Falkenhagen, beer dealer, Beaumont, to the American Brewing Association, 1-15-07:

"We had a meeting in regard to the paying of poll tax. The saloon men that were present subscribed something over \$700 and there are several to come in yet. They seem to think that the breweries ought to subscribe as much as \$200 each. Of course, you know they expect the world from the breweries. Mr. Kauffman of the S. A. Brewery said he would do whatever the Houston breweries would do. Mr. Harlan said he would take it up with his people today. I wish you would see the Magnolia people and come to some agreement and let me know, as we will have another meeting tomorrow night and I would like to be prepared to give a decided answer at that time if we pay up those parties' poll tax that are unable to pay. I don't think we will be worried with an election this year and in case we do have an election we will be in position to put up a strong fight. Awaiting your early reply, I remain." (A-1801.)

Excerpt from report of O. Paget to B. Adoue for January, 1907, dated 2-4-07:

"In several counties we have had men at work urging the pay-



ment of poll taxes. They have succeeded very well, and if elections are called in these counties, we stand a fair show of winning. They are, Matagorda, Wharton and Waller. We have also had our friends before a couple of religious conventions and gradually the colored man is coming to have a proper understanding of his position relative to local option." (S-3022.)

Letter from G. H. Luedde, Waco, manager for August A. Busch & Co., to Zane Cetti of Texas Brewing Company, Fort Worth, 2-9-07:

"We had some trouble during the payment of poll taxes here during this past few weeks and two of our men have been arrested in the matter. I took this matter up with our attorney yesterday, Mr. O. L. Stribling, and he stated that he would like to know what had become of the case in Fort Worth that was taken up last year. Will you kindly let me know, or if you do not know the status of the case, will you kindly give me the names of the attorneys who had this case in hand, so that I can take it up with them and find out what was done with this case, whether any decision was rendered on the same, and if so, what phase of the case it touched, etc., as our attorney can probably use it to some advantage here.

"Kindly advise me with reference to the facts in the case and oblige." (TB-749.)

On the same subject Luedde wrote Prince, 3-7-07, as follows:

"We enclose you copy of letter today written to Mr. Adoue which fully explains itself, and we hope that you will feel as much interested in this matter as we do here at Waco, and that you will give this your hearty endorsement, and if you think it best, write Mr. Adoue accordingly. We feel if this poll tax law could be knocked out for the small sum of \$2,500 that it would be the best investment that we have made in a long while, because it is an expense to all of us of more than this amount every year.

"Thanking you kindly to let us hear from you on this subject at your earliest convenience, beg to remain." (A-1838.)

The Adoue letter referred to above, in part, follows:

"Along during the latter part of December a gentleman, friendly to our cause in Waco, made arrangements with some gentlemen here to assist such people as were not able to pay their poll taxes, by advancing them the money to pay their poll taxes with. One of these gentlemen, a Mr. Solon, was arrested for so doing and has been convicted and fined \$200 for the same.

"Now the Hon. O. L. Stribling and also the Hon. Allan D. Sanford, both first-class attorneys here, believe that this is a good opportunity to test the constitutionality of the poll tax law. They have both been studying this question very closely and have given it a great deal of time, and have also taken it up with the County Attorney here, and they have brought a case in such a shape as to cover all the ground, so that there is no chance for the court to go off on a side



issue, like they probably will in the Fort Worth case. The attorney in the Fort Worth case has been in correspondence with Mr. Stribling and wants to go in with him on this case; he states he is confident that the court will find a flaw in this case and not decide the vital point, but will probably only clear the party of loaning money. Such a decision, of course, will not be of any material benefit to us. What we want is a decision that will knock out the poll tax law, and they believe that they can do it, and make Mr. Archenhold of the Archenhold Company and myself the following proposition:

"In the first place they will charge us \$200 attorney fees and their expense for looking after this case, in any event, as to whether we win or lose. In the event they knock out the poll tax law entirely, which is their aim, they will charge us \$2,500 fees. In case they do not knock out the poll tax law, but only knock out that part of the Terrell law which states that we cannot loan money or give money to a man with which to pay his poll tax, they will charge us \$400 for knocking out that part of it.

"They are confident that they can knock out that part of the Terrell election law which prohibits us from loaning or giving money. They state they have decisions which have been previously rendered by the Court of Criminal Appeals along the same line, with reference to the poll tax law, in which the Court of Criminal Appeals have held in our favor, and they do not believe that this court can now reverse themselves, because both Henderson and Davidson have rendered decisions along this same line, and they state that in view of these previous decisions the court must hold the poll tax law unconstitutional.

"Now what Mr. Archenhold and I want the wholesale liquor dealers and the Brewers' Association to do is as follows: Mr. Archenhold and I have agreed that the liquor dealers should pay one-third of this \$2,500 and the Brewers Association two-thirds of this \$2,500. Mr. Archenhold is taking the matter up with the liquor dealers that they will reimburse him for his share of the one-third of the \$2,500 and I am writing you this letter, and sending a copy of the same to each of the breweries doing business in Texas, so that the Brewers' Association will reimburse this agency for the two-thirds of the \$2,500, provided these attorneys knock out this poll tax law. In the event they do not get any kind of a favorable decision Mr. Archenhold and I will pay this expense on our own account, unless it should be that they knock out that clause of the Terrell election law which prohibits us from loaning or giving money with which to pay poll taxes, and, of course, that would be a benefit to all parties in Texas, and we would expect the brewers to pay their two-thirds of this \$400, the fee which the attorneys would receive.

"This matter will be heard before the Court of Criminal Appeals on next Wednesday, arrangements have been made to that effect by our attorneys. I would be pleased to hear from you at your earliest convenience that this arrangement is satisfactory.

"Now, Mr. Adoue, this does not interest you probably as much in the southern part of the State as it does in the northern part. For instance, in Dallas, Fort Worth, Waco, Temple and in all of these

firing line towns we have got to do a great deal of work every year in seeing that our friends take out their poll taxes, otherwise we would be wiped off the face of the earth, and it is not only a great deal of work, but a great deal of money and expense to all parties concerned, and I hope that you will look at this matter in the right light, and hope that you will see your way clear to notify me that the arrangements Mr. Archenhold and I have made with the attorneys will be satisfactory. \* \* \*

"With the poll tax law knocked out we would have no trouble in winning a great many counties that we now cannot touch at all, because as a general thing our kind of people are very poor hands to pay their poll taxes, whereas the prohibitionists always pay theirs. I have gone into this matter quite fully and hope that you will find time to read it and digest it carefully and give us a favorable reply." (H-894.)

The following excerpt from a letter from Anheuser-Busch Brewing Association, St. Louis, to Texas Brewing Company, 5-22-07, refers to poll tax payments at Fort Worth in 1907:

"You state that your contributions aggregate \$8,000, 'no local agency having contributed anything,' but we are informed that August A. Busch & Co. contributed \$1,000, Pabst Brewing Company \$1,000, Schlitz \$500 and the Miller Brewing Company \$500, which sums were paid to the treasurer of the campaign fund. Mr. Diehl informs us that the records of the treasurer show a payment of \$10,000, for half of which you were reimbursed by the wholesale liquor dealers, and it is furthermore stated that after the close of the campaign there remained a surplus of \$4,000 and that this amount was donated to charitable institutions, and to persons for services rendered during the campaign.

"I suggest that you make up a statement of the total expense of the campaign as also the contribution made by the various breweries and liquor dealers and other parties, so that final settlement can be made." (TT-44.)

Excerpt from letter from San Antonio Brewing Association to B. Adoue, 11-4-07:

"Referring to the Rankin clipping, which you were kind enough to send me, you will remember, no doubt, how very careful I have been and have warned others in regard to letter-writing, and in this connection would respectfully call your attention to the enclosed report from Mr. Paget, especially the one paragraph which I have marked with pencil, and just stop to consider how serious this might be, what a great risk he is taking. He speaks of the necessity of looking out for poll taxes, and almost in the same breath that \$550 properly handled should take care of every county in the State. I would respectfully request that you direct his attention to this, explaining how very, very dangerous such proceeding is." (S-3695.)

Excerpt from letter of O. Paget to R. L. Autrey, Houston Ice and Brewing Company, 11-8-07:



"Is it not time something was being done about poll taxes for next year? I sincerely hope that your association will realize the importance of seeing that the poll taxes are paid. We failed last year and you see the result." (A-2117.)


Letter from San Antonio Brewing Association to B. Adoue, 11-11-07:

"I would respectfully direct your attention to editorial on page 8 of the Christian Advocate, issue November 7th, referring to meeting of the anti-prohibitionists at Dallas, which, no doubt, you have read. It bears out my object of this meeting and on this subject I will have quite a lot to say at our next meeting.

"I wrote you several times in regard to 'letter-writing,' and again, only recently, directed your attention to the great danger of certain correspondence on part of Mr. Paget, but I note that he again comes out on the 8th inst. in an open letter to Mr. Autrey, in which he asks if it is not time that something was being done in matter payment of poll taxes, etc. As before remarked, I deem this very dangerous proceeding, and it should by all means be stopped immediately." (S-3716.)

1908.

Letter from Carl Kirchner, joint agent of San Antonio Brewing Association and Houston Ice and Brewing Company, El Paso, to San Antonio Brewing Association, 1-9-08:

 "Politics are beginning to warm up here and there is some talk of a local option party, but I think we have it headed off. The Liquor Dealers' Association have been paying poll taxes about one week. We have \$1,200 on hand and expect to have to use it all. We have about arranged with the ruling political party to allow us to name a Senator and Representative to the Legislature. We are trying to get Judge Dean to run as Senator, and I believe he will go if paid for his time while away from his business. I feel quite sure it will take at least \$3,000 to pay him while away from his practice here, but he would be a valuable man in the Legislature at this time. I think we can get Judge Burns, who is also a good one, without paying him anything. Burns has been Speaker of the House in New Mexico and knows how to do things. The Liquor Dealers' Association has assessed all the breweries and wholesale liquor dealers \$50 each. I told them they could count on the money when needed so far as you were concerned. The assessment made by the wholesale association last summer was never needed and was never paid. Please write me if this meets with your approval." (S-3831.)

To the last above, the San Antonio Brewing Association replied, 1-16-08:

"Your favor of the 9th inst. was received in due course and should have been answered ere this, but we have really not been in a position to advise definitely, as we had to take the matter up with our representatives politically, with a view of determining just what arrange-



ments they had made, as they have such matters in hand in our behalf.

"The assessment to which you refer is all right, and whenever you need the amount you may let us know, or simply pay for us when called on.

"If anything new should develop there, or you have any further suggestions to make, we shall be very glad to hear from you at any time.

"Kindly consider this letter in confidence, and if you should have occasion to refer to matters political with your friends or otherwise, do not refer to what the brewery will or will not do, but refer to us individually, for reasons which you will appreciate." (S-3841.)

Letter about poll tax payments, San Antonio Brewing Association to G. H. Luedde, Waco, 1-21-08:

"We have been urging our friends to do their duty, as you will note from the enclosed.

"The time is very limited now, but I take it that you have been equally zealous with your trade and friends." (S-3850.)

Same letter to B. Adoue, 1-21-08:

"We have been urging our friends to do their duty, as you will note from the enclosed. What has been or is being done from that end of the line in this respect?" (S-3851.)

Same sort of letter to S. T. Morgan, Dallas Brewery, 1-21-08:

"We have been urging our friends to do their duty, as you will note from the enclosed. The time is very short now. Has anything been done in this respect at that end of the line?" (S-3854.)

Letter about poll tax matters San Antonio Brewing Association to O. Paget, 1-21-08:

"The enclosed may be of interest to you. What is being done at that end of the line in this respect? We have very little time left." (S-3852.)

The following is a letter about poll taxes, San Antonio Brewing Association, to A. Gomez, beer dealer, Alice, 1-21-08:

"Noting your favor of the 20th instant, beg to state that for reasons explained to you before, the matter to which you refer is one that we cannot well discuss by letter, so we are trying to reach you by phone, and hope to succeed today." (S-3853.)

To the last above, A. Gomez, 1-22-08, replied as follows:

"Yours of the 21st inst. received and contents noted. I don't want to answer your phone call because I don't want everybody to know about this matter. On the 31st of January is the last day to pay poll taxes, and the church members are just waiting until this month is gone and they are going to get a list of the tax payers and if they have enough on their side to justify their election they will

ask for it, but if they think that we have more on our side they will not make a move. They are just laying for a chance to catch what they can. They will not take any more steps until next month, that is, if the matter turns their way. So if you don't care to pay for about 10 or 15 that they are willing to help us but they are unable to pay themselves!

"After this month is out it is pretty hard matter to fix things, so there is no use to work then." (S-3856.)

To Gomez's letter, last above, the San Antonio Brewing Association thus replied, 1-23-08:

"Your letter. I hereby authorize you to expend not to exceed the sum of \$40." (S-3861.)

The following is a letter from E. G. Garcia, beer dealer, Cotulla, to San Antonio Brewing Association, 1-24-08:

"As I am only in the beer business now and you understand financial condition, I am not able to pay any poll tax this year, as I have heretofore. I have always paid poll tax and have fought prohibition very hard, but I am unable to do anything this year, and I am going to ask you for a little assistance—anything that you feel able to send me will be gratefully received and used to an advantage. Hoping to hear from you by return mail, I am, Respt." (S-3868.)

To the last above the San Antonio Brewing Association replied, 1-28-08, as follows:

"We have your favor of the 24th inst. and will state that as we had occasion to talk to our mutual friend, Mr. Charles E. Neal, over the phone, we told him what could be done and we hope that the arrangement made through him will prove satisfactory to all of our friends in Cotulla." (S-3886.)

The following letter about poll tax paying at El Paso was written by the Carr-Bass Liquor Company, El Paso, to the Dallas Brewery, 1-27-08:

"The retail liquor dealers, through their association, have ASSESSED each of the breweries represented here \$50, which, as I understand, they are using in paying poll taxes.

"The secretary tells me that every one has put up on this. Kindly let us know what you wish done in the matter. We feel like it is a hold-up, worthless in results to us, but as each of the agencies, and even I. Goldorf (wholesale whiskey dealer), has responded, we don't see any way around either the brewery or ourselves contributing that sum." (DB-682.)

The following is an excerpt from a letter from J. E. Weeden, general manager Texas Brewing Company, Fort Worth, to Zane Cetti, president of the Texas Brewing Company, about poll tax payments at Fort Worth, 2-1-08:

"Now, as to Fort Worth—

"Up to well into January there was the slowest payment of poll taxes in the city that we have ever seen since the first time. Whether this encouraged the prohibitionists or not I do not know, but it is a fact that there were serious threats of calling an election in Precinct No. 1 to try to carry Fort Worth; in fact, I am told there was a meeting held amongst them to discuss the matter. I became alarmed, especially so Levy. We got together and I made a pretty good bluff. Instead of submitting to a proportion of two to one, as was the case last year, I held firm, insisting that all I could do was to match dollar for dollar with him. On this basis we paid out \$1,500 and succeeded in getting a little over 1,000 first-class picked men, sorted out by Mr. Bud Brown, from his experience in preceding years. As I figured the thing out in the beginning, such action on our part would not only have its positive numerical effect, but more than that, would also act as a damper upon the moves of the enemy inasmuch as they would exaggerate, of course, everything that we did, and expect us probably to make ourselves as strong as we were last year. So far it has turned out that way. I have heard nothing more of precinct prohibition and believe that they have been quieted. Whether or no, the result is such that I am quite positive that we are safe in Precinct No. 1." (TB-968.)

The following is an excerpt from a letter from J. E. Weeden, general manager of the Texas Brewing Company, to Zane Cetti, president Texas Brewing Company, 3-3-08:

"I will write Mr. Clauss tomorrow as suggested. I have been expecting for some time before this the publication of the results of the poll tax payments; in fact, I have requested Louis Wortham, as a newspaper proposition, to gather them up as an item for his paper." (TB-1001.)

The E. S. Clauss mentioned in the foregoing letter was an officer of the Anheuser-Busch Brewing Association, St. Louis. On 3-17-08 the Texas Brewing Company wrote Clauss about poll tax payments at Fort Worth, as follows:

"We have your favor of 12th inst., and explaining a little further the matter in question, beg to say that our understanding was, through Mr. Cetti, that we might address you with a view of obtaining your assistance on the poll taxes in our possession made such a remarkable showing. The arrangement then was that Texas Brewing Company should furnish \$8,000 and the wholesale liquor interests \$4,000, and this money was paid in.

"The writer does not know whether or not there was any understanding with the other two beers represented here about their share in this matter, but it seems clear from his correspondence that he thought there was such arrangement with you as to your pro rata.

"Understand, this is all for last year's proceedings. As to this year, while it might not have been absolutely necessary, at the same time on account of important legislative elections it was believed to



be prudent to provide ourselves to a certain extent. This year, however, we succeeded in making a better bargain—so to speak—with the liquor people; that is to say, instead of paying 2 to 1 against us, as last year, we accomplished an arrangement share and share alike; in other words, whenever the representative of the liquor interests put up a dollar this concern put up another dollar along side of it. But, as said above, it was not necessary to do nearly as much as last year, for various reasons, and the expenditures last January on our part were only \$1,500.

"In other words, our understanding of the arrangement is that the A. B. B. A. would do its sales pro rata share of the \$8,000 for last year, and of the \$1,500 for this year.

"Trusting now that this matter is clear to you, we remain, with best wishes." (TB-1017.)

The following excerpt is taken from a letter from William Saenger, agent of San Antonio Brewing Association, Beaumont, to San Antonio Brewing Association, 2-4-08 (Mr. Kaufmann therein mentioned being a traveling man for San Antonio Brewing Association):

"I was called upon by a committee of the saloon men who had the poll tax question in charge and to whom Mr. Kaufmann subscribed \$200, asking for an additional subscription, as they were in arrears of the amount primarily subscribed. As Lon Barnard Co., Magnolia and American subscribed an additional fifty dollars I took the liberty of doing likewise, and trust I have not overstepped the boundary of discretion. The poll taxes paid were something enormous,  $2\frac{1}{2}$  times greater than ever in the history of the county, and I heard it said that Beaumont now ranks fifth in the State." (S-3920.)

To Saenger's, last above, the San Antonio Brewing Association, 2-5-08, replied as follows:

"Your action matter of donation of \$50, referred to, is all right. We would prefer, however, when time will permit of your so doing, to kindly submit all such requests here first that we may pass on the advisability of making them." (S-3929.)

Excerpt from general report of O. Paget dated 9-2-08:

"I have only one recommendation to make (and would not do that if you were not as well acquainted with the facts as I am) and that is, we ought to be doing missionary work among the colored brethren without delay, as the enemy is hot after them at this moment. Another suggestion: Poll taxes for 1909 can be paid after the 1st of October, and all possible pressure should be brought to bear upon the antis to induce them to pay same. There is one thing to be considered in this connection, which is next will be an 'off year.' There will be no county nor State elections, and the city man is usually careless. The farmer paying his other taxes must pay his poll tax; the mechanic usually has but the poll tax to pay, and not feeling kindly towards it, will not pay it if he can help it—therefore, special efforts must be directed towards getting out the laborers to pay their poll tax." (TB-1118.)

The following is a letter from J. B. Rayner, a negro preacher in the employment of the Texas Brewers' Association, to Zane Cetti, 11-14-08:

"I am doing my best to make the indifferent, the purposeless and homeless negro pay his poll tax inside the time limit, while he has money. This plan hereinafter named is my own initiative and inauguration. I have 4,000 cards like the enclosed and I will place one prominently in every negro barber shop, eating house, saloon and every other negro business in Texas, and will supplement this advertisement with help of every negro official in secret society lodges, every negro preacher and the negro newspapers in Texas. I am satisfied I will induce at least 50,000 negroes in Texas to pay their poll tax in time.

"If I send you one hundred of these cards per express, will you let O. C. Crook place one in the places I have named—in Fort Worth? We will need the negro vote next year, and we must get it ready before we can use it.

"Please let me hear from you." (TB-1151.)

And the following, Houston Ice and Brewing Company, to O. Paget speaks of the above from Rayner, dated October 20, 1908:

"J. B. Rayner writes me from Calvert and calls attention to the advisability of getting the negro to pay his poll tax now that he has money.

"Urging the payment of poll tax always is a colossal job. I think something ought to be done, but I am afraid of the tremendous expense involved. Have you any new ideas in this respect?" (H-1408.)

Paget thus writes R. L. Autrey, Houston Ice and Brewing Company, about the necessity of Rayner's services, October 30, 1908:

"As I understand that Mr. Adoue will be in Houston Sunday, I wish you would take up the matter of Mr. Rayner and negro poll taxes with him. We ought to do something definite with that man Rayner, and he has become now, more than ever, a necessity since Dr. Riley has resigned from the field to work among the negroes exclusively. If we can reach some definite arrangement with him it will prevent him writing to the various members of the association and get down to business. Now is the time for working among the negroes—after Christmas they will not have a dollar. Please take up the matter, and oblige." (H-1430.)

And to Paget's letter, last above, Autrey replied as follows, 11-2-08:

"I took up the matter of the negro poll taxes in full with Mr. Adoue Sunday. I expect that the Anti-Prohibition League office is going to give that matter attention, and I will know something more about next Sunday, when I will take up this matter further with you." (H-1432.)

And to Autrey's, last above, Paget replied, 11-3-08:

"The poll tax matter is delicate. If the anti league handles it, they must exercise great caution, as they are watched very sharply by their enemies." (H-1441.)

Rayner thus wrote J. E. Weeden, Texas Brewing Company, about his work, 11-19-08:

"Yours to hand, and contents noted. I send you today per express 150 cards, and I do hope that you will see that they are placed in prominent places in all negro business.

"I shall do my best to cover the whole State with every manner of influence which will cause the landless and homeless negroes to pay their poll taxes in time to vote.

"If I fail in this, it will be because of my limited means in money matters. The brewers of Texas have as yet given me no financial assistance nor has the wholesale liquor men. I do hope you will speak to Mr. Zane Cetti about the work I am doing. I would also ask you to write to the Anheuser-Busch people at St. Louis and tell them of my work. If the brewers will express their appreciation of my work I will feel that I am well paid.

"Yours at work, for manhood rights and manhood privileges." (TB-1158.)

Rayner thus writes about his work to Autrey, Houston Ice and Brewing Company, 11-24-08:

"I am now working to make the cities and towns in this State the radii from which will go out all through the country the sentiment of poll tax paying among the negroes. The homeless and indifferent negro is gregarious in sentiment. They believe in doing things in crowds. If I send you 150 cards like the enclosed will you instruct your colored porter to place one conspicuous in every negro barber shop, negro eating house, negro saloon, negro billiard hall and every other negro business in Houston? The time limit to pay poll tax is very short, and I must work in a hurry. The Brewers' Association of Texas has not yet agreed to support my effort. Capt. Paget was kind enough to furnish me these cards, and if it was not for his loyalty, this important work would be neglected." (H-1472.)

On 11-27-08 B. Adoue wrote the Texas Brewing Company about Rayner as follows:

"I have received your letter 24th inst., with copies of correspondence with Mr. Rayner. The cards, about 10,000, were written and printed by Mr. Paget.

"Mr. Rayner has rendered valuable service for which we have paid regularly, not very liberally, it is true, and he has gotten additional small sums from other parties. The gentleman is now ill at home, which is to be regretted. We need him in three counties holding elections this next year.

"Just received your letter 25th with copy of the Texas Guide correspondence. Mr. Baughman has applied for assistance to all the Texas breweries. He is entitled to sympathy, but not to money." (TB-1160.)



Baughman referred to above is a negro, and is editor of the Texas Guide, a negro newspaper.

It appears that the liquor interests proposed to form a corporation for the purpose of paying poll taxes. The following is an opinion upon the proposition given by J. C. Terrell Jr. of the firm of Orrick & Terrell, lawyers, to Sam Levy, president Casey-Swasey Company, wholesale liquor dealers, 11-18-08:

"You have asked us the following question: 'Can a corporation be formed under the laws of Texas for the purpose of accumulation and loan of money to its members for the purpose of paying their poll taxes?'

"The various statutes regulating and prescribing penalties with reference to the payment of poll taxes are embraced in the General Acts of the Twenty-ninth Legislature governing the elections, etc., in the State of Texas and are as follows:

"Section 150—Any person who fraudulently or willfully does anything in violation of this act to affect the result of any primary, special or general election is guilty of a misdemeanor, unless some other penalty for such act is specially provided for.'

"Section 157—Any person who knowingly becomes agent or obtain a poll tax receipt or certificate of exemption, except as provided by this act, or any one who gives money to another to induce him to pay his poll tax is guilty of a misdemeanor.'

"Section 170 provides, 'That any person who loans or advances money to another knowingly to be used for paying poll taxes of such other person is guilty of a misdemeanor.'

"Our general statute embracing corporations provides for the formation of corporations for the accumulation and loan of funds.

"The three sections above referred to shows conclusively an intent of the Legislature that no one shall be instrumental in obtaining funds for the payment of poll taxes of any other persons, and makes same a misdemeanor punishable by fine or by hard labor upon the public roads or by both such penalties.

"The formation of a corporation for that purpose in our opinion would be an association of men to violate the laws of the State, and its officers and agents, if not also those who contribute money to that purpose knowing it would be used for such purpose, would be guilty with the agent who paid the money or loaned the money or advanced the money for such purpose of the accomplices, and while the corporation formed for the purpose of the accumulation and loan of money would be legal, yet if same was formed for the purpose of violating the law, its officers and agents, if not likewise those who contribute, would be guilty of a violation of the law; although I am free to confess that not being versed in criminal law there may be some criminal statute which would protect them, but it is unknown to the writer, and it would be advisable to be neither a member nor an officer of such corporation." (TB-1155.)

The following is a letter addressed by R. L. Autrey of Houston

Ice and Brewing Company to B. Adoue and others, 12-1-08:

"Beginning today, I am starting white and colored men in Houston to work on both races amongst working men employed in the large and small industries of the city, to promote the payment of poll taxes, upon the following plan:

"A good speaker and able worker will go to the general foreman of the industry and request that he pass word amongst the men to attend a meeting at a designated place and hour, composed of all the employes working about the plant or in connection with the industry or store. An able address will be made to the assembled men, and they will be appealed to to qualify as voters. Special stress will be laid upon the duties of citizenship and the fact that the poll tax is exclusively applied to the education of the children of Texas. In Houston it will be shown that the local city administration is strong anti-prohibition in its personnel, and that very large improvements in the way of public works will be taken up during the coming year, and that the negro will be the chief recipient of the benefits of the labor upon such public improvements.

"When the meeting is worked to a high pitch of patriotism and aroused to the duties of citizenship the blank herewith enclosed will be produced, and it is confidently expected that every man attending will sign it. This blank is equivalent to an order on the corporation or firm of employers, and, in Houston, will be equivalent to insuring absolutely the collection of the taxes.

"I am sending copy of this letter to all the breweries and members of the Texas Brewers' Association and hope that the suggestion will be found valuable and be made use of everywhere at once. Would like to have reply from each, with comments.

"I will put eight men on this work in Houston—there are a great many mercantile and industrial establishments to see and I am sure we will get the money in enough instances to qualify 2,000 additional votes to our last registration. What do you think of it?" (TB-1161.)

S. T. Morgan, Dallas Brewery, in the following letter to R. L. Autrey, Houston Ice and Brewing Company, 12-3-08, thus speaks of Autrey's plan described in the last above:

"I beg to acknowledge receipt of copy of your letter to Mr. Adoue of December 1st.

"I think your suggestions are good, and that every brewery, wholesale and retail liquor dealer should at once get busy. However, it might be well to leave out of the order the purpose for which the money is to be used in order to avoid any conflict, if there should be any, with the law.

"In this county we have in the past handled the poll tax proposition through our Commercial Club, and in this way have avoided the 'grafter' and others who are always on the lookout to turn an honest penny (?) or get some one to pay their obligations. In handling the proposition through the Commercial Club the outlay has been confined to legitimate expenses only—namely, salaries and advertising, and I

think it will be found upon comparison that Dallas County has a larger paid poll tax list per capita than any other county in the State." (DB-889.)

The following is a letter from Chris B. Callan, an employe of the Texas Brewers' Association, to O. Paget, 12-7-08:

"Now while I am writing to you I desire to say that in my opinion the prohibition question will be submitted by the next Legislature, and the only thing for us to do is to have the 'boys' pay their poll taxes. To this end I think you should have some man to go to every town in the State where there is a union and urge the necessity of paying their poll taxes. You know that next month is the last month and something should be done, and that at once. I am willing and anxious to do this work at once if properly compensated. Let me hear from you." (H-1484.)

The following letter was written by J. H. Lilienthal of the American Brewing Association to Lilienthal Bros., 12-14-08:

"As you are, no doubt, aware the next Legislature will be asked to submit a constitutional amendment to a vote of the entire people for State-wide prohibition, I would urge upon you the necessity of paying your poll tax not later than January 15th next. Also that you see that every qualified voter in your employ does the same by that time. It is, I believe, incumbent upon you to assist in every way possible towards preventing State-wide prohibition, and the first step in this direction is to see that all antis pay their poll tax.

"Would request that you acknowledge receipt of this letter, indicating that you will assist in the work as stated above." (A-2533.)

Letter O. Paget to R. L. Autrey, Houston Ice and Brewing Company, 12-16-08:

"Enclosed please find a letter from Prof. D. R. Stokes of Dallas and I wish you would give it your attention.

"You are the only member of the Texas Brewers' Association who seems to pay any attention to the payment of poll taxes, which is the most important and essential thing before us now. I talked and talked and wrote and begged last year and very little was done, and this year I commenced the same course but—quit. Now you seem to realize the great importance of the whole matter and for that reason I enclose you this letter. I believe that the \$30 would be well expended. I know the editors of the two papers and they are exceedingly friendly to me personally and I believe it would make them more friendly to the cause, but without your sanction I would not care to tell them to go ahead. If it meets your approval wire me upon receipt of this letter, or call me over the phone and the notices can go in the paper this week.

"I hope to have the pleasure on Saturday of going over the matter with you. Have made an appointment at 9:30 with Mr. Chris Callan at your place and a little later with Mr. Rayner." (H-1494.)



D. R. Stokes mentioned in the last letter above is a negro preacher employed by the Texas Brewers' Association.

Autrey replied to Paget's, last above, 12-17-08, as follows:

"I return letter from Prof. D. R. Stokes. The advertisement in the two negro papers named should go in, and I authorize you to insert it, with the understanding that written matter, or editorials, will be also inserted by the respective papers, urging the payment of poll taxes.

"The card alone in the paper I would not give 15 cents per month for, but the written matter along these lines I consider very valuable, and that is what really I would be paying for.

"Will await you and Mr. Callan here Saturday morning at 9:30." (H-1495.)

Letter O. Paget to R. L. Autrey, Houston Ice and Brewing Company, 12-26-08:

"As per your instructions I wrote Mr. Callan to cut out the work for the present and I regret exceedingly the unsatisfactory outcome of the gentleman's effort—he has seriously disappointed me.

"I enclose you his last letter to me and while it is very discouraging, we must not fall down on this account. The most serious proposition before us is that of the poll taxes—it is the vital issue. There ought to be a man in Dallas, Fort Worth, San Antonio and every city in the State at work, but, until I get instructions from either Mr. Adoue or yourself I will not undertake it. The entire expenses of his trip were \$80 (\$50 expenses—handed him Saturday—and his salary, \$30). I respectfully ask if same will be charged to the association or will you pay it?" (H-1505.)

1909.

Excerpt from Paget's report for December, 1908, dated 1-1-09:

"In the latter portion of the month poll tax matters have given us much concern. The sentiment has been aroused in various parts of the State, and more especially amongst the colored brethren to get into line and pay their taxes. In most every city in the State meetings are being held and colored poll tax clubs are being formed. The labor organizations are being stirred up—and, taken all together, the outlook is far better than it promised in the early part of December." (H-1514.)

Letter from O. Paget to B. Adoue, 1-7-09:

"I came to Dallas by request of Mr. Autrey to ascertain the condition of poll tax paying in this city and look over the situation generally, so that I could give you and him a report of the exact condition. I did so and report as follows:

"Before doing so I want to say that I am reporting facts as I saw them and as any man who cares to investigate will find them. If any work is being done there is no indication thereof. Specious

promises are made, but nothing has been done or is doing, but from this day things will be lively in labor circles.

"It appears that heretofore Mr. Sam T. Morgan has always been in the lead in such matters, and as he is ill there is no one taking the lead. I asked his assistance. Mr. Coburn and he seemed to think 'some one was taking care of it.'

"I went to Col. Stevens and he knew nothing at all was being done. (I will refer to Mr. Stevens later.) I heard that some member of the Commercial Club was 'doing something,' but there is no Commercial Club. Col. Hunter, the secretary, has resigned and no one has been appointed in his place, and Mr. Howard Arday, president, is out in an interview in the NEWS of this date in which he says there is no hurry about appointing one. I interviewed various members of the club, and they knew nothing. I then turned my attention to organized labor and found that not one union had made any effort to pay taxes and in not one union had a word been spoken on the subject. I got at once in communication with some of the leaders and arranged that addresses will be made before the following unions at their several meeting nights. \* \* \*

"I met Mr. Berry, president of the State Council of the Carpenters' Union, and enlisted him in the cause, both himself and the official organ, of which he is editor, and arranged for a great mass meeting of organized labor to be held next week, and, at which Hon. Charles F. Mills is to make an address.

"Not a single move has been made by the barkeepers nor the retail liquor dealers. I interviewed their officers and members, but not a thing has been done. After getting close as possible to the facts I went to Col. Stevens and reported and he suggested to get out cards similar to those used in Galveston, have them put up in all saloons, hotels, etc., and he would pay the cost. I did so, and enclose copy of card.

"The labor organizations will, I am sure, do their part from now on.

"At noon on the 7th, 1909, there were paid 3,779 poll taxes, and on the same date last year 4,466. There are more colored people paying this year than last, and in the matter of the colored voter, I have this section of the State well covered. The colored man and brother is waked up.

"I wish to say here that Col. Stevens, the barkeepers and liquor dealers endorsed the circulars we are sending out over the State, over the signatures of the barkeepers' unions of Houston, Galveston and Fort Worth.

"I went to Fort Worth and found that city in the best condition of any city in the State. Mr. Cetti has it properly worked and the labor organizations are all paying up. Two of the leaders are in the field day and night with the result that at noon today there were 370 more poll taxes paid than there were last year, and the work is going on.

"Mr. Cetti was much pleased with the circulars, and liquor dealers requested me to get, if possible, the president of the barkeepers union of Fort Worth to sign it. I had no trouble so to do—he was anxious

to put himself on record, so I had the circulars reprinted with his name on them.

"He was pleased with the cards such as Col. Stevens had printed and asked that 500 be put up in Fort Worth, and I so promised. Dr. Lincoln will see to their distribution.

"I may have to return here in any event, as the labor men are desirous of it, and they are the men we must encourage.

"The one subject for regret is that Mr. Morgan is ill and there is no one to take his place.

"I have made this as brief as I could. But more work has been done in these two days than has been done since the campaign opened. In fact nothing has been heretofore.

"I have reported for Lamar, Grayson, Ellis, Collin and Parker and Bell Counties and nothing has been done in them. I most respectfully suggest that you have work done in these counties or permit me to do it, because if the question is not submitted and the poll taxes are paid we can bring them into the wet column." (T-1181.)

Letter San Antonio Brewing Association to O. Paget, 1-13-09:

"We are engaged in an effort to have the people here and in this section, i. e., our friends or friends to our cause, pay their poll tax, so that they will be prepared for any emergency.

"Have you sent out any of the printed notices to that effect, such as you favored us with for distribution last year? Have you any of them on hand? If you could favor us with a good supply of them at ONCE we could use them to very good advantage by sending them to our various agencies.

"I shall be glad to hear promptly, and would also be glad if you would advise me what is being done in this respect from that end of the line." (S-5140.)

To the above Paget replied, 1-14-09, as follows:

"Your valued favor of the 13th to hand and carefully noted. You ask me what we are doing at this end of the line. Well, I assure you that for the past few days we have been busy—so busy that I do not have time to eat and very little sleep.

"Let me explain. For months I have urged that we direct our efforts to the payment of poll taxes. No man who knows anything about Texas politics ever doubted that the question would be submitted, and that the very existence of the brewing interests depended upon the taxes being paid. Not a bit of attention was paid to my recommendation. All your people seemed to be at sea. Then when Mr. Wolters opened the Houston office and announced that every county would be organized, I supposed they would be, and not being a 'butter in,' did not interfere. January 1st came and I heard from all labor organizations and many counties. In no case could I hear of an organized effort being made. I spoke to Mr. Adoue and upon his advice I went to Dallas. On my return I made out my report—it is enclosed and is marked 'exhibit 1.'



"I then had printed 5,500 letters and envelopes (marked 'exhibit 2') and kept the office busy night and day folding, addressing and mailing same. You will note that I got the Conservative League and barkeepers' unions of four cities to sign them, so that the brewers would not be known in it. I then printed about four thousand cards (exhibit 3) and distributed them in Dallas, Fort Worth, Sherman, Denison, Paris and other places.

"Again returned to Dallas and aroused the labor element to call on Charles H. Mills to make a public address (see exhibit No. 4), and sent a special messenger to Corsicana to deliver same and get a reply. Mr. Mills will speak on the 19th.

"Meantime I had Galveston covered with cards and arranged a speaking here (see exhibit 5) and had opened a downtown office for the payment of poll taxes. Had a man attend every meeting of organized labor in the city—and I am afraid not of Galveston. Repeated the same tactics in Houston—all this is supposed to be the work of the Anti-Pro League, and brewers are not known in it.

"I have Dr. G. S. Lincoln working in various parts of the State (see letter from Lincoln, exhibit 6).

"I had Beaumont worked and a good meeting was the result and the tax is being paid by our friends. So much for the white man's burden.

"I have the entire State aroused so far as the negro is concerned (see exhibit No. 7), in re Galveston. These meetings are semi-weekly. Rayner is up-State (see exhibit 8). Stokes is in Central Texas (see his letter, exhibit 9), and see also exhibits 10 and 11, of which over 10,000 have been printed and delivered. For places not large enough for a special circular I had 5,000 blanks (see exhibit 12). This is only a brief sketch of some of the work done—if I should enter into details I could fill a good sized book, and, BEST OF ALL, the brewers are not known in it.

"This is practical work and if I had been permitted to get into the fight one month ago I'd guarantee half a million of poll taxes in the State.

"I respectfully ask an expression from you as to what you think of it?

"One thousand cards will be shipped you tonight from Dallas—in one color only (blue), as there is now no time for two-color work." (SS-29.)

And to Paget's last above, the San Antonio Brewing Association replied, 1-15-09:

"I have your kind favor of the 14th inst., with enclosure of exhibits, as advised, all of which I have carefully noted, and I thank you very much for your prompt response. I am returning such as you desire herewith, as requested.

"I was afraid that the people would not take the interest in the matter that they should, i. e., our friends or the liberal element, and I think that regardless of whether we are to have an election or not, that we should urge them to by all means pay their poll tax in

order to be prepared for any emergency which may possibly arise. I think that this should be done every year, for once they get indifferent and neglect this essential feature they are likely to continue that way hereafter.

"I am very glad that you are having the cards sent us which I asked for, and I will see that they are well distributed to our various representatives throughout the State and at once, asking that they post them in conspicuous places, also urge all of their friends to pay their poll tax. The notice to the colored people has been out for some time, and we have distributed about 1,000 of them judiciously in this city with very good results, for they are now organizing and the negroes are paying their poll tax. The Mexicans are well organized and are paying their tax almost to a man, the county and city officials looking out for this, so that they will get their votes.

"The business men of this city will be appealed to this week in no unmeasured terms, and if necessary we will threaten to publish in the newspapers a list of the 'shysters' who have so little manhood left in them that they refuse to avail themselves of this great privilege, and I think that it would be well to threaten to do the same in other places, as such a threat would undoubtedly have the desired effect of making them pay their poll tax." (SS-31.)

And to the last above Paget replied, 1-16-09:

"Your valued favor of the 15th received with enclosures. Most efficient employes, who can speak German and send them out along the Southern Pacific R. R. into the German settlements and urge upon the people to pay their poll taxes. You will find enclosed sample of circulars which I am getting out—about 50,000—and I would advise that he carry these with him and offer them to the various towns, making arrangements that they be distributed. He can send me the name and address of the parties and quantities wanted and I will mail them to them forthwith, or, if you desire it, I will send 5,000 to you and you can send them to him, so that he can make personal delivery.

"You will kindly send me the name of the party or parties and the county or counties where you send them, or him, because I have a man in Southwest Texas at this time who is doing this work. If you will kindly wire me upon receipt of this it may save some expense and save the men from crossing each other.

"I have bad news from Lockhart and Luling—by all means get in a man there and insist on the poll taxes being paid." (SS-32.)

And to Paget's last above, the San Antonio Brewing Association, 1-8-09, replied:

"We have your recent favor with enclosure, also note, and appreciate kind advice as well as your efforts. We are sorry to state, however, that we have no one available for the mission indicated by you, but you may be assured, considering the efforts which we are making, that there will be very few, if any, of our German friends in Southwest Texas who have not paid their poll tax.

"We have sent the posters to our various representatives, have asked that they be placed in conspicuous places and have also urged upon them the necessity of working up enthusiasm and having all of our friends pay their tax and be prepared. We are also writing especially to our Lockhart and Luling representatives and hope that it will have the desired effect." (SS-34.)

Excerpt from letter O. Paget to Zane Cetti, Texas Brewing Company, 1-13-09:

"Your telegram received this morning and in reply thereto will say that I am so busy on the poll tax question both day and night all over the State that I have not time to eat—hence the delay." (T-1184.)

Letter O. Paget to the breweries, 1-14-09:

"The question of the State-wide submission at this writing looks as though it was going to be submitted to a vote of the people, and its defeat at the polls is certain if a full vote of the people can be secured. To get this vote poll tax receipts are necessary. The prohibitionists have not neglected securing their receipts. Unfortunately the antis have not been very active in the same direction. To help awaken an interest even at this late day this office respectfully requests that you send us a list of your wholesale dealers in Texas by next mail, if possible, so we can send circulars to them, asking that they, in their various localities, arouse an interest in the immediate payment of the tax." (T-1185.)

The following is a letter from C. H. Palm, Stockdale, to the San Antonio Brewing Association, 1-14-09, relative to poll tax payments:

"I have just returned from San Antonio; went to see Lone Star Brewery, telling them what I could do by the assistance of you all now they have done as I asked. So cold I did not get to see you all, but you can find out from Lone Star Brewery what I want money for, but I want to carry this place wet.

"And if you all will do as the Lone Star Brewery I will win out beyond a doubt. They mailed me a check for \$50.

"Hoping you all can help me in this fight.

"P. S.—I propose to pay poll tax with money. Rush answer or check." (S-5143.)

Palm wrote again to the San Antonio Brewing Association, 1-14-09, as follows:

"Since I wrote you that other letter I thought I better explain more, so will now do so. I got about 60 people here who I can pay the poll tax of and can win this election. You do not know, but I tried two elections on my own hook, and lost. Now the last time I only liked 17 votes of winning, and I am going sure on this time.

"I can pay 60 or 70 votes here and the Lone Star sent me \$50, and if you all will I do the work. Now I know what I am doing. I believe beyond a doubt I can win. Remember, I got only a few



days to do this in. I am going ahead and pay taxes and will spend some money myself. I hope to pay 80 votes, but I may not get that much. Hoping you all will talk to the manager of Lone Star and decide to send me a check at once, I remain.

"P. S.—This is our time. Don't you all worry, I am going to win. I got to.

"Lone Star has promised me their agency here. Hope you all will do the same." (S-5145.)

To the two letters from Palm, Otto Koehler of the San Antonio Brewing Association replied as follows, 1-15-09:

"We have your two favors of the 14th inst., and note carefully contents. We feel as though we should win there, and no doubt we will, especially considering your efforts and the fact that neighboring places are now in the 'wet' column.

"The brewery, being corporation, cannot subscribe to the fund in question, as it would be against the law, and would constitute a criminal offense, but the writer and our Mr. Wahrmund, as individuals, can do so, and we hand you herewith our check for the sum of \$50, wishing you good luck." (S-5146.)

Letter from S. T. Morgan, Dallas Brewery, to O. Paget, 1-19-09:

"Replying to your favor of the 18th inst. will state that I sent you a few days ago list of our wholesale dealers, which I hope you have received by this time. As you know our wholesale customers are very few on account of most of this part of the State being under the local option law. As to this county will state that through the Chamber of Commerce we have a good organization, consisting of the able support of both the Dallas Morning News and Times-Herald, which papers in every issue are urging the people to pay their poll taxes. Four sub-stations located at convenient points in this city, and around each sub-station there is one or two solicitors who make a personal call on every voter in every store, office building, etc., and every man that fails to pay his poll tax in this city cannot say that his attention was not called to the matter. In addition to the above organization the several nationalities, including the Germans, Italians and Jews, have separate organizations, and are urging their respective people to pay their poll tax. The Chamber of Commerce also has out several general solicitors and our Tax Collector, Mr. Jones, very kindly has a special deputy that is visiting the factories, office buildings and large mercantile establishments, and in this way is collecting a good many polls that otherwise would not be paid. The payment to date is a little behind last year, but I am in hopes that we will not only make a better showing than last year, in which case we will show a larger percentage of polls paid than any other large county in the State, and will place the city something like 3,000 votes ahead of the votes in the county. This, of course, in case of either local option or prohibition elections should insure us a good majority against either proposition.

"I can assure you that everything that is possible is being done looking to the payment of poll taxes is having attention here, but you will understand in order to not be held up it is necessary that this work be done by a public institution like the Chamber of Commerce. Will state further that through the brewery and wholesale liquor dealers' city representatives every saloon man's attention is not only being called to the importance of having our friends pay their poll tax, but each is individually requested to constitute himself as a committee of one for the purpose of prevailing on not less than five of his personal friends to pay their poll tax; that is, to work with that class of men who will take no interest in the matter unless a personal appeal is made to them. As above stated, we hope to make equally as good a showing as we did last year, which, including exemptions, amounted to about 20,000, and in order that nothing may be overlooked I will be glad to hear from you with any suggestions that you think will help along the good work." (DB-914.)

The following letter about poll tax payments was written by the San Antonio Brewing Association to O. Paget, 1-22-09:

"January 22, 1909.

"Capt. O. Paget,

"Galveston, Texas.

"My Dear Captain:

"Mr. N. C. Reinhard called on us today and stated that you had suggested that he ask us for an advance in case that he should require money. I let him have the sum of \$25, and he asked that I make draft on you to cover, but prefer not to do that. You may remit to cover, and I will be glad to send you his receipt as soon as we receive the remittance. Yours very truly,

O. K." (S-5157.)

To the last above Paget thus replied, 1-23-09:

"Enclosed you will find a check for \$25 advanced to Mr. Reinhard, a courtesy for which I thank you.

"I hope that you will realize that this office has roused the State of Texas on the subject of paying poll taxes and they are paying up. I am letting the dry counties severely alone except such as those in which we might have a chance to winning, but the antis of the State are paying their poll taxes." (S-5159.)

The San Antonio Brewing Association replied to Paget's last above as follows on 1-25-09:

"I have yours of the 23d inst. with enclosure of check for the sum of \$25, stated purpose, for which I beg to thank you.

"Noting your further remarks, beg to state that I do realize and appreciate the fact that you have stirred up the State on the question of poll tax payments. Your work has been commendable and is appreciated by all." (S-5168.)

The following is a letter from G. H. Luedde, Waco, manager for Aug. A. Busch & Co., to Otto Koehler, San Antonio Brewing Asso-

ciation, 1-22-09, about poll tax payments in Bell County. (Autrey and Hamilton mentioned therein were connected with the Houston Ice and Brewing Company):

"I wrote you several days ago with reference to the poll tax situation in Bell County, and asked you to kindly give this your earliest attention by notifying your representative in Bell County. So far we have heard nothing from you. They have just called me from Temple, stating that Gov. Pendleton had heard nothing from you, neither had your representative, Mr. Blum. Would state that they are needing the assistance badly in the work they are doing. Messrs. Autrey and Hamilton remitted them on their own account \$250. I helped them out with, as stated in my former letter, \$500. Hope you will be kind enough to take this up by mail immediately and instruct your representative to pay Gov. Pendleton \$250 or let me know and I will attend to the same. Yours truly." (S-5158.)

The San Antonio Brewing Association replied to Luedde's letter, last above, as follows, on 1-23-09:

"Noting your favor of the 22d inst., beg to state that the matter referred to has had our attention; have been in correspondence with Gov. Pendleton direct." (S-5162.)

Letter from George C. Pendleton, Temple, to O. Paget, 1-30-09, relative to poll tax situation:

"If all the counties are paying poll tax like Bell I wish we could have an election next week. I think this county will pay 1,000 more polls than last year and 900 of them anti. I wish you could persuade our folks at Austin to let the election come off." (SS-35.)

The following is the full text of one of Paget's reports:

"BREWERS' REPORT FOR THE MONTH OF JANUARY, 1909.

"Galveston, Texas, February 2, 1909.

"B. Adoue, Esq.,

"City.

"Dear Sir:

"I herewith submit my report for the month of January, the busiest month this office has spent since its opening. It has been somewhat expensive, but considering the amount of work done, is only a trifle and a very small trifle at that. All bills have not as yet been paid, but \$2,000 will cover all and every expense of the poll tax payments and the Brewers' Association can justly claim that come what may, submission or no submission, the pros are beaten. It is not alone that as many poll taxes have been paid as last year, but that it is the men who paid them. Eighty-five per cent are laboring men and negroes.

"When, on instruction from you, on the 7th day of January this office took up the subject of the poll tax, the anti forces of the State were demoralized—nothing had been done to get our forces into line. Of course, I am aware that now the work is done there will be many



to claim the credit, but put this down as a basic fact, so far as any interest in paying poll taxes is concerned on the anti side nothing had been done—if you can cite me one county in which a chairman had been at work in getting antis to pay up you will do something that I have not been able to do. Bear in mind the writer is claiming no credit—give it to the men in the field, and they did good—all of them, Lincoln, Linthicum, Marr, Pennock, Lynch, Rheinhardt (white), and Stokes, Rayner, Watson, Wilson and the host of colored preachers, who in the highways and byways of the State roused up the negro to claim and qualify for citizenship; these are the men who did the work, ably assisted by Major Mills and Judge Ballew, who, without pay, took the platform in defense of liberty of conscience and citizenship qualifications.

“In the anti counties they did the work. The black belt they let alone, except in Lamar and Grayson Counties. In the former the antis are ahead; in the latter it is claimed that the antis are in the majority in payments. In Bell County we are in position to meet the enemy at any time and it is now thought that no election will be called, as it is well understood that the antis are nearly 1,000 ahead. In McLennan the conditions, while not as good as in Bell, are good enough to prevent any election in the Waco precinct, as threatened.

“Galveston County is an object lesson—7,127 votes against 4,738 last year. You were skeptical about Galveston and just a little bit discouraged; now you know what can be done by an organized effort amongst union men. Nos. 2 and 3 dock workers paid as a body. There are 1,400 colored poll taxes issued and the glory of it all is, not one cent has been given to any man to ‘help him out’ in paying his poll tax and same may be said all over the State. The Texas Brewers’ Association has not spent one dollar to pay a poll tax—and it cannot be charged against them.

“Of great help were the three mass meetings in Galveston, Dallas and Houston, at which Mills, Ballew and Marr spoke—Galveston, you saw. It was in every way a success. Houston was even better. Dallas, so far as attendance was concerned, was a disappointment, but it was made up in newspaper mention.

“Let me say here, and thank the members of your association at the same time, that the request for the names of all their agents, wholesale and retail, met a quick and hearty response, and the work of these agents in every part of the State helped beyond measure to swell the tide of anti poll tax payers—your field agents everywhere met these men, and each and all (with one exception) gave earnest and intelligent co-operation.

“Tarrant County’s splendid showing is due solely and entirely to the local people—the writer paid two visits to Fort Worth—at neither time did he interfere, except to aid in billing the town with cards, etc., which work was done by Dr. Lincoln. X

“Dallas was a hard proposition. At my first visit on the 6th it was dead. The credit of the fine showing made in the wind up is due mainly to W. P. Linthicum and if we could have had the hearty co-operation of the Tax Collector we could have had 2,000 more votes. X

"Bexar County we left to the local people. No interest was aroused—if it had from 2,000 to 3,000 poll taxes more would have been paid.

"The office sent out over a quarter of a million hand bills—Galveston took 30,000, Dallas 23,000 and one man, Mr. Pennock, put out between 50,000 and 60,000, Dr. Lincoln 40,000, Lynch 30,000 and of the 700 wholesalers and retailers nearly every one took from 100 to 5,000. If we had had ten days more or four more men in the field there would have been 700,000 poll taxes paid.

"We distributed by tacking up and otherwise placing 20,000 colored cards and mailed circulars (between 5,000 and 6,000) to every retailer in the State and two sets to every agent.

"In conclusion let me say that it is not now a question of beating the pros at the polls—it is a simple question of anti majority. Submission should be defeated, if possible, for two reasons: First, the great expense of a State election; second, the tide of prohibition is ebbing in Texas—the cleaning up process is beginning to tell. In two years there will be a great change in favor of the antis, but if it should be submitted, and the writer frankly thinks it will, you are now in position to defeat it at the polls.

"The reform work went on as usual, as our reports show; the expense as well as that of the office is small, but come what may in either State or county we are ready to do battle.

"This is the first time I ever wrote asking credit for the men on the 'firing line,' but they deserve it and should have it. Sincerely and respectfully yours,

O. PAGET." (T-1193-4.)

Copies of the foregoing report were sent to the breweries and the following is the reply of the San Antonio Brewing Association thereto, 2-3-09:

"I have read with interest copy of your report to Mr. Adoue in regard to the payment of poll taxes, and must say that the showing is a good one, and certainly those on the 'firing line' deserve credit, and they should have it.

"I feel, however, that your reference to Bexar County is rather unjust, for we did all that we possibly could at this end of the line to arouse enthusiasm. There was considerable apathy, and had it not been for our efforts the showing would not have been nearly so good as it was. As a direct result of our efforts, rather than show a shortage over the previous year, we were successful in enrolling about 2,000 in excess of the previous year, which was not so bad after all, especially considering how indifferent the people were. We put in some mighty hard licks, and while we do not ask for credit we desire to set you right as to this." (SS-36.)

To the last above Paget, 2-4-09, thus replied:

"Yours of the 3rd inst. to hand. I stand corrected in re the number of poll taxes paid in San Antonio. My report came from the organized labor and the statement was made that while the poll was good and better than last year, that if some organized effort had been

made amongst organized labor Bexar could have polled at least 2,000 more votes.

"Our people, Mr. Koehler, seem only to grasp the idea of the number of poll taxes paid, forgetting the essential point that it is the antis who have this time paid the poll taxes and the pros are the derelicts. The appeals made by the field agents of the association were made directly to the antis and the work done by the brewers' agents, wholesale and retail, in city and country, has rolled up a vast anti majority and, while I have no desire to see submission passed in this Legislature nor any other for that matter, I feel positive that if it comes we can beat them by at least 40,000. I know antis in this State who are positively eager for the fight and should it come they have no fears of the result." (SS-37.)

The following is a letter from F. H. Carpenter, Sour Lake, to the American Brewing Association, 2-11-09, about poll tax paying:

"Enclosed report past 10 days and check to cover item of \$17.50 spendings. I will explain fully when I come in, but you can call up Mr. Autrey or better see him. It was expense sending a man to Kountze and some other labor relating to a coming election. Everybody here paid part, but Vido, who would not help and did not pay his poll tax himself or his brother. However, I think we have this box by 100 majority. We loaned 80 polls." (A-2578.)

The following is the report of the Texas Brewers' Association, February, 1909, to B. Adoue by O. Paget, dated 3-2-09:

"I respectfully enclose report for February. It was not quite so busy a month as January, but there were few idle hours.

"The reports from the various counties are in and show the result of work done by your agents in the advocating the payment of poll taxes and will cite here just one county—Bell—where an election was threatened. This is taken from the record of the Collector's office and the election returns.

"Ten boxes that voted dry in 1906 show a loss in poll tax payments in 1908 of 192. While in nine other boxes that went dry the gain in poll tax receipts for 1908 over the total vote cast in 1906 is 203, showing a net gain of eleven votes. Eight boxes that voted wet in 1906 show a loss in poll taxes compared with the actual vote three years ago of 166, while on the other hand fifteen boxes that gave wet majorities in the last local option election show an increase in poll tax payments over the vote cast of 761, thus giving the anti boxes a net gain in the country of 595, as compared with a net dry gain of 11, leaving a difference in favor of the wets of 584 votes. The total vote cast in the local option election in 1906 was 6,389 and the wet majority was 470.

"Milam County has over seven hundred anti votes and gained about 275 in poll tax payments. This county was also slated for a local option election.

"In many counties like conditions prevail.



"I desire to say here that it not only shows to what extremities the fanatics urged on by grafters will go, that an election is slated in May for Dallas and Tarrant Counties. This in the face of the fact that Fort Worth and Dallas (city) are far ahead in poll taxes, and more especially that the laboring men, on whom it is being slowly impressed, that work in the cities largely depends upon the possession of a poll tax receipt." (T-1207.)

Letter from O. Paget to the breweries, 11-9-09:

"This office is about to take up, actively, the subject of poll tax agitation in the State, and to save every possible dollar it is deemed best to interest all those whose bread and butter, to some extent, depend upon the continuation of the retail beer business. We, therefore, ask that you will, at the earliest possible moment, send us a list of all your agents in wet and dry counties, so that we can get into communication with them and enlist their active co-operation in the matter of calling their friends' attention to the advisability of paying such taxes and assisting us all they can in the premises." (A-2799.)

Reply to last above by American Brewing Association, 11-13-09:

"Complying with the request contained in your favor of the 9th inst. beg to hand you herewith enclosed a list of our wholesale dealers in Texas." (A-2802.)

Letter from O. Paget to Texas Brewing Company, 11-15-09:

"Several days ago we asked for a list of your wholesale dealers. All of the brewers have responded but yourself. We want the list for the purpose of enlisting these men in the matter of seeing the poll taxes of our friends are not neglected. We are getting out some placards and we want to send them into the various localities, to the wholesale dealers, and request that they tack them up in conspicuous places. Can you try to realize the importance of this poll tax matter and send me the list immediately—indifference upon this subject will be the cause of the loss of your business in the State. This is the most important matter confronting us today." (T-1334.)

On 11-16-09 M. Andrews, beer dealer, Corpus Christi, wrote the following to Otto Wahrmond, San Antonio Brewing Association:

"It will soon be time to pay poll taxes. Can you help me this year in this matter. I am afraid that they will try to hold an election here next year, if the pros think there is any chance to win, and we want to have enough votes to beat them. If you could give \$100 for this purpose I will greatly appreciate it, as I intend to put that much myself." (S-5839.)

To which San Antonio Brewing Association replied as follows on November 17, 1909:

"Noting your favor of the 16th inst., beg to state that we are always ready and glad to help out good friends such as you, but for

reasons which I am sure you will appreciate, would ask that you kindly let this matter rest until next time our representative gets there, who will have instructions pertaining to same." (S-5842.)

That the breweries were still interested in having the poll tax law declared void is shown by letter from O. Paget to Otto Koehler, 11-8-09, as follows:

"When in your city we spoke about the poll tax and I told you that a certain lawyer in Dallas had agreed to have it declared unconstitutional on a contingent fee.

"When in Dallas recently I spoke to Judge Linthicum, who was connected with him in the matter, and they seem to have gotten the thing a little tangled, but that he is confident of being able to do as he promised is evident from his letters, which I enclose to you. They are interesting reading. Of course, no agreement has been made yet and will not be without your express order." (SS-71.)

And by the reply of Koehler thereto, 11-18-09, saying:

"Your favor of the 8th inst., with enclosures, was handed me yesterday on my arrival at the office, the first time that I was able to be down, having been confined to my home for about 8 or 10 days. Returning enclosures herewith, beg to state that I note that party is not so certain about the poll tax proposition as he was when question was originally broached. Well, in view of this, we had better drop the matter for the present, and perhaps take it up later on." (SS-72.)

Letter O. Paget to the breweries, 11-21-09:

"Enclosed please find a sample of large card of which your office in this town has had printed 10,000. We hope that you will take care of your own city and the immediate vicinity, and respectfully ask how many we shall ship you?" (A-2803.)

Reply to last above by American Brewing Association, 11-22-09:

"In reply to yours of the 21st with reference to poll tax cards we beg to advise that about three hundred will do us for this city. As you have a list of our wholesale customers, in all probability you will ship to them direct." (A-2804.)

Reply of Paget to last above, 11-23-09:

"We are sending you today by the Pacific Express, as per your request, 300 of the poll tax cards.

"Letters have been sent to your various customers, asking how many they desire in their respective localities, and they will be sent out promptly upon their reply." (A-2805.)

Reply by San Antonio Brewing Association, 11-23-09, to Paget's letter of 11-23-09 above:

"We have yours of the 21st inst., with enclosure, and will state

that Mr. Bruhn of the Lone Star Brewing Company advised that he has requested you to send 1,000 of the cards. We will divide them, and it will be ample, permitting us to send to all of our representatives throughout the State, also to use here. We will urge all of them to post up in conspicuous and the most advantageous places, and ask them to get very busy." (S-5858.)

Paget's reply of November 24, 1909, to above from San Antonio Brewing Association is as follows:

"Yours of the 23rd regarding the 1,000 poll tax cards sent to the Lone Star Brewery—you say you will send them to your customers or representatives. This is not necessary, as we are sending a copy of the enclosed letter and postal card to all of your representatives whose names you furnished us. You will need at least 1,500 in San Antonio and vicinity alone. We have put over a thousand in Galveston and this is a very small city compared to San Antonio." (S-5863.)

Another letter from O. Paget to the breweries of date 11-23-09, reads:

"Enclosed please find a paper copy of a large card which is being printed, and which the brewery you represent desires that you have posted up in your neighborhood; placed in all business houses, hotels, saloons, barber shops, etc.

"There is no use of urging upon you the prime importance of having all your friends pay their poll taxes—and insist that they get their friends to do likewise. You know that as well as this office does.

"On the enclosed postal card write out the number you can use and they will be promptly shipped you. Do not be afraid of asking for too many, or of doing a little work in behalf of your own interests. You are expected to do your part in rolling up a big poll tax list in your vicinity.

"Thanking you for your immediate attention in the premises and awaiting the card indicating the number of posters desired." (S-5857.)

Letter from O. Paget's office to Otto Wahrmund, San Antonio Brewing Association, dated 12-7-09:

"Responding to your request, I am herewith enclosing you list of your representatives showing the ones who have applied for poll tax cards and the amounts sent. If we do not hear from all the men to whom we sent communications within the week we will send them another reminder of the importance of the matter in question. Up to the present writing the list as per enclosed shows who have and who have not received the cards. Capt. Paget is out of the city—in Archer County—but will return the last of the week, when he will take up the poll tax matter as actively as a matter of such importance demands." (S-5897.)

Letter from Texas Brewers' Association to all liquor dealers, dated 12-14-09:



"Over three weeks ago, by request of the brewery whose product you sell, we sent you a copy of a poll tax card (on paper so that it could be enclosed in an envelope, and explained that the cards to be sent would be on heavy tagboard). We have not heard from you—do you care to interest yourself in this important matter, which affects you and your business so vitally?"

"The coming year will need every friend of liberty to be armed in defense of the rights fought for and blood-bought by the founders of the State—the weapon is the ballot, and without a poll tax receipt you are defenseless. Interest not only yourself, but your friends, in paying their poll tax. We enclose a card, fill it out and send it by return mail and the cards will be sent you promptly." (S-5901.)

Letter from O. Paget to Otto Wahrmund, San Antonio Brewing Association, dated December 16th, 1909:

"We are sending you by today's express one hundred and fifty poll tax cards in Spanish and respectfully ask that you will see that they are put up where they will do the most good." (S-5912.)

The following is a letter from S. T. Morgan, Dallas Brewery, to O. Paget, dated December 16, 1909, relative to poll tax paying in Dallas, the organization mentioned being the Chamber of Commerce:

"Replying to your favor of the 14th inst. will state that we will handle the local poll tax matter as we have handled it heretofore and particularly through the same organization, which by so doing keeps us entirely out of sight, and in this way a large amount in the way of expenses is saved, and we believe the records will show that this county has the largest paid poll tax list per capita of any other county in the State. We think the organization that handles this matter will desire to have all of the printing done here, as it places them in connection with the union printers here; that is of itself a considerable help. Should there be any change, however, and the committee should want some of your cards, I will place them in direct communication with you." (DB-1043.)

Letter from O. Paget to Otto Wahrmund, San Antonio Brewing Association, dated 12-28-09:

"Your valued favor of the 27th in re the poll tax posters received I am enclosing herewith copy of all parties who have received and posted cards up to the time of this writing. I am also sending you copies of each of the three letters which we have sent out.

"We have, altogether, placed about 20,000 of the cards in the State and as soon as a reasonable time will lapse so that I can get replies to the personal letter (copy enclosed) which I last sent out, I will then take up the matter in the other counties of the State, as there is hardly any county in which there is not some person known to this office who will see to the posting up of the posters and otherwise assist in inducing our friends to pay their poll tax.

"From the present outlook it would appear that more colored poll

taxes will be paid this year than ever before and this is so much in our favor.

"If there is any town or county which is not down on the list where you have an agent or correspondent or friend whom you think will interest himself in the putting up of these cards, I respectfully ask that you will give me the name (or names) and I will get into communication with him or them immediately and send the cards." (S-5940.)

The list referred to in the above is as follows:

- |                                 |                                |
|---------------------------------|--------------------------------|
| E. G. Guse, Bastrop.            | H. Siemens, Riesel.            |
| C. T. Winston, San Marcos.      | M. Hurt, Lampasas.             |
| C. Fahrendorff, Cameron.        | W. J. McKnight, San Augustine. |
| C. W. Sanders, Ledbetter.       | John Wilder, Victoria.         |
| J. B. Sterling, Dayton.         | F. Raube, Giddings.            |
| J. H. Herring, Wharton.         | Max Wahrmond, Fredericksburg.  |
| E. G. Pitts, Conroe.            | A. G. Lichey, Shiner.          |
| Hollmuth, Brenham.              | F. Crixell, Brownsville.       |
| A. F. Jecker, Goliad.           | Louis Keiffer, Del Rio.        |
| M. Anderson, Corpus Christi.    | Cibolo Casino, Cibolo.         |
| F. F. Wotipka, Flatonia.        | W. W. Taylor, Eagle Pass.      |
| Asa McDow, Whitney.             | Mart Adams, Fort Stockton.     |
| P. L. Meyer, Austin.            | T. Dromgoole, Runge.           |
| H. Ratliff, Rodgers.            | Lavaca Light and Ice Co., Port |
| Brewster & Lindsay, Lufkin.     | Lavaca.                        |
| Fred Gerber & Co., San Angelo.  | E. Arnoldi, Sherman.           |
| Victorino Gorena, McAllen.      | B. F. Florence, Diboll.        |
| J. C. Bucek, Engle.             | John E. Weeden, Fort Worth.    |
| Hugr Starcke, Seguin.           | C. Jayes, West.                |
| American Brewery, Houston.      | H. P. Falkenhagen, Beaumont.   |
| Aug. A. Busch Brewery, Dallas.  | F. J. Richardson, Houston.     |
| Lone Star Brewery, San Antonio. | W. A. Rainbold, Sweetwater.    |
| Geo. H. Luedde, Waco.           | Gus Thuem, Yorktown.           |
| R. L. Autrey, Houston.          | J. F. Lyon, Somerville.        |
| Fort Worth Brewery, Fort Worth. | Eugene Trott, Waco.            |
| Gerhard Zoch, Northrup.         | LaGrange Ice and Cold Storage  |
| E. Fisher, Burton.              | Co., LaGrange.                 |
| B. J. Anderson, Bruceville.     | Heyne Bros., Glen Flora.       |
| W. A. Bass, Hartford.           | Chas. Heinen, Kerrville.       |
| H. P. Sachs, Weimar.            | H. Campbell, Comstock.         |
| F. A. Black, Cameron.           | Wm. Glass, Rowena.             |
| F. Mergenthal, Yoakum.          | L. L. Penn, Kingsville.        |
| E. C. Find, New Ulm.            | Lewis Schmidt, Mason.          |
| E. C. Meyer, Ellinger.          | L. M. Chesser, Juno.           |
| O. Ingenhuitt, Comfort.         | W. J. Jones, Bronson.          |
| Eberling & Son, Schulenburg.    | A. F. Holmgreen, Alice.        |
| Callahan & Stiegler, Hondo.     | W. C. Baker, Rosenberg.        |
| J. J. Elliott, Thorndale.       | Houston Ice and Brewing Co.,   |
| A. B. Baggett, Teague.          | Houston.                       |
| F. J. Hartwig, Marion.          | Houston Ice and Brewing Co.,   |

Mexia Ice and Refg. Co., Mexia.	Houston.
Calvert Light Co., Calvert.	W. F. Blum, Temple.
J. C. Houston, Floresville.	F. F. Wotipka, Flatonia.
R. Nickels, Mart.	McCormick & Cohn, Cleveland.
M. W. Taylor, Belton.	Hunter & White, Sinton.
Houston Ice & Brew., Beaumont.	R. E. Smith, Humble.
A. J. Brod, Rosebud.	W. E. Welford, Eagle Lake.
A. C. Marsden, Beeville.	Hy. Etlinger, Moulton.
J. L. Long, Hallsburg.	O. P. Bailey, Liberty.
Jurecka Bros., Bartlett.	D. S. Shade, Smithville.
C. F. Hoffman, Tomball.	W. Wolf, Rockdale.
Peter Schramm, Taylor.	J. J. Elliott, Thorndale.
F. St. Urba, Caldwell.	Schertz Merch. Co., Schertz.
S. Womack, Morgan.	J. G. Kellner, Brookshire.
F. H. Carpenter, Sour Lake.	Otto Bruening, Westhoff.
Mondrik Bros., Cameron.	T. A. Sterling, Patterson.
B. Claussenning, Katy.	J. W. Parker, Brookshire.
L. D. Powell, Willis.	F. C. Schaeffer, Sealy.
J. F. Wolters, Houston.	F. M. Zobel, Brenham.
E. Morris, Corpus Christi.	Louis Fricke, Clifton.
Houston Ice & Brew., El Paso.	Peter & Neylon, Winchester.
Bryan Ice Co., Bryan.	Adam Braden, Burlington.
E. Morris, Corpus Christi.	E. W. Bounds, Marlin.
N. B. Chancey, Diboll.	J. M. Coates, Corsicana.
Albert Sheis, Wetmore.	F. G. Blumberg, New Braunfels.
S. E. Lanier, Marquez.	C. E. Winn, Temple.
A. Wolf, Rockdale.	W. Cooper, Burnett.
H. W. H. Zapp, Fayetteville.	J. T. Lavery, Port Arthur.
Watson & Co., Strawn.	McHutcheson, Edna.
Fred Uloth, Walnut Springs.	Nemecek Bros., West.
T. A. Hasler & Co., Bastrop.	F. Manka & Son, Falls City.
Sharp & Rivers, Brackettville.	J. M. Dunlap, Luling.
Aug. Schonk, League City.	Fred Heitkamp, Bracken.
W. D. Hunter, Sanderson.	Robert Vedder, Blum.
R. H. Carr & Co., Gainesville.	W. J. Skaggs, Port Arthur.
Chas. Fessman, Eagle Pass.	H. D. Adams, Coolidge.
Jake Z. Harper, San Angelo.	Louis King, Gatesville.
E. F. Juergen, Cyprus.	Frank Hargis, Llano.
Hellmuth & Artmann, Beeville.	Pedro Flores, Falfurrias.
O. Sargeant, Brackettville.	F. Haberlein, Pflugerville.
R. C. Campbell, Winnsboro.	L. Bartels, Bulverde.
W. H. Kleinworth, Seabrook.	C. A. Burtschell, Columbus.
A. B. Baggett, Teague.	J. W. Seay, Baird.
E. G. Lamon, Castroville.	A. J. Barthelow, Laredo.
J. Kolodzie, Karnes City.	American Ice and Cold Storage,
Kuntz, Hallettsville.	Amarillo.
Max Hirsch, Elgin.	F. H. Gohlke, Wichita Falls.
J. F. McCowan, Waco.	John L. Spurlin, Hamilton.
Carr Bass Co., El Paso.	E. W. Bounds, Marlin.
T. R. Pryor, Hearne.	Dan Gallagher, Texarkana.



Kubitze Farek, Axtell.	O. C. Opperman, Palestine.
A. B. Jackson, Hempstead.	J. B. Hooks, Kountze.
J. H. McLain, Knox City.	J. A. Allen, Garden City.
Casbeer & Beatty, Goldthwaite.	H. W. Hughes, Chappel Hill.
A. Sandaloski, Marshall.	S. N. Creench, Ennis. (S-5937.)

1910.

Excerpt from report of O. Paget to B. Adoue, dated 1-4-10:

"At this time I will not send you an extensive report for the month past, in fact it will be better to say the two months, as from the first to the 11th of December I was absent from the city practically all the time, and no report was sent you except special reports, no time being had to send you monthly reports. \* \* \*

"There is an immense lot of unfinished work at this time in connection with the poll tax matter. We are in the very middle of the work and it is proceeding along satisfactory lines. You will note in my expense account that we have made no mention of the poll tax business, though the entire office, and some additional help, have been taken up exclusively in this matter since the 11th of December, and every meeting of colored educational bodies has been attended by our friends, who have kept down with considerable trouble all resolutions opposed to your interests. This of itself has been a considerable undertaking, but so far has been very successful. Every colored paper in Texas is carrying our advertisement, and is working in the interest of poll tax payment, and from now on meetings will be held in all communities where colored people are numerous, urging the payment of poll taxes. And I would suggest here that the white labor organizations receive our attention. I have made no effort in that direction yet as I fear to cross the lines of some other workers, and would be pleased to know if it is the desire of your association that we take up that work this year as we have heretofore. If any other branch of your association is attending to it I will be pleased to give them any assistance in my power. I will say in passing that I do not believe that the poll tax matter will cost us one-half this year of what it did last year, and I think the State will be as fully covered. \* \* \*"

(T-1347.)

Excerpt from a letter from J. E. Weeden, Texas Brewing Company, to O. Paget, dated 1-11-10:

"I am working hard on poll taxes. Conditions are not favorable; the worst weather since records were kept does us much harm. Such severities will lose us we estimate at least 1,500 who had intended paying, but must use the \$2.75 to maintain themselves against the elements." (T-1360.)

Excerpt from letter from O. Paget to Texas Brewing Company, dated 1-13-10, follows:

"An election was held in Jefferson, the county seat of Marion County, on the 11th inst. It had been dry for two years. The anti-

prohibitionists wrote to this office some time ago and were told not to bring on the election until after February, but to get to work amongst our friends, especially the colored voters, and induce them to pay their poll taxes, and then when they could vote on the poll taxes thus paid to call the election. Colored men were interested, and many paid their poll taxes, more than sufficient to have carried the election for the antis. An indiscreet anti-prohibitionist talked too much, and said they would not call the election until after the first of February. The pros took snap judgment, and called the election themselves, in January, when the newly paid poll taxes would not be available, with the result that the precinct was carried by forty majority. If the election had been held the 2nd of February the antis would have carried the precinct by not less than 75. In this connection I desire to say that no money was spent in the election, no contributions made, because the writer saw after going over the situation that even under the most favorable circumstances the pros had at least 37 majority, therefore advised that no contribution be made towards the campaign. \* \* \* (T-1361.)

The following letter is from George W. Littlefield, Austin, to O. Paget, dated 1-15-10:

"I have your letter. I find up to date only 3,100 poll tax receipts have been taken out. Last year there were 6,600 poll tax receipts issued. This year there should be 8,000. It seems the people are slow in paying. The Mexican voter should be urged to take out his poll tax, for he can go to the polls in primaries, while the negro can't participate in primaries. There should be men in each county employed to mix up with the class that is slow in paying and to see that all white men and Mexicans are fixed. L

"The Collector tells me that he is afraid the people will not pay up poll taxes promptly. Please let me hear what your information is from over the State." (SS-81.)

The Littlefield letter above is referred to in the following letter from O. Paget to Otto Wahrmond, San Antonio Brewing Association, dated 1-17-10:

"The failure to pay poll taxes in the State is assuming alarming conditions. I have written at least 2,000 letters to various persons in the State on the subject. The replies are not encouraging. I had some special work which would have called me out of the city last night, but thought it best to remain and discuss the affairs with Mr. Adoue.

"Enclosed is a copy of a letter from Mr. Littlefield at Austin. You know the man and what he has done in the anti cause. I believe we ought to do something to help out in that bailiwick. I have a man all ready to send in there who, I believe, can work up a big interest amongst the white people, and I can also send a man to work amongst the colored people. We have a preacher by the name of J. W. Watson in Austin who is ready and anxious to go to work.

✓ "Enclosed find copy of a Lincoln circular, of which 100,000 have been distributed in Texas. Forty-five negro churches read it from the pulpit yesterday in Dallas, and four in Beaumont. The card enclosed, of which 100,000 have been printed, is working up the negro to his position in the State. I do not want to send into Austin without your permission. Shall I send a man or have you got one who can take it up immediately? We have only a few days now in which to act, and as the man is waiting here in Galveston for my instructions, I am awaiting yours. Wire me just as soon as you have had time to consider this matter and believe me." (SS-82.)

Letter from O. Paget to Texas Brewing Company, 1-17-10:

"I have just received a telegram from D. R. Stokes, reading as follows:

"'Send three thousand each to O. C. Crook, care Brewers' Association. Rush.'

"I presume he meant 'Texas Brewing Association,' and have sent the requested literature in your care. You will probably know Mr. O. C. Crook. Will you kindly see that he gets them and makes the proper use of them?

X "Dr. G. S. Lincoln will have called upon you in the interest of the white voters of that county, especially in the matter of labor organizations, before this reaches you. Give him all the assistance you can. I am getting up meetings in this city, both white and colored. This poll tax matter is a most serious and important issue at the present time."

Stokes and Crook, mentioned in the last letter above, were negro preachers. (T-1365.)

The following is a letter from Brewster & Lindsay to American Brewing Association, 1-21-10, about poll tax payments at Lufkin:

"We are preparing ourselves so that we may be ready in case an election should be called in this county this year, which there is already some talk of, and we ask that if you care to give us \$50 to help us in this matter, awaiting your reply, we remain." (A-2836.)

The following is a letter from L. R. Bradley, beer dealer, Gainesville, to San Antonio Brewing Association, 2-12-10:

"In regard to the note account I will do my utmost to pay some each month after this month, as business has been quite dull during the cold weather, and I had to pay one hundred dollars to our association for poll taxes. It has cramped me some, but I have a better prospect in sight for business this spring and summer than I have ever had, and I don't think there is any doubt but what I can pay every dollar I owe you by the close of the season this fall." (S-5994.)

The following letter from L. R. Bradley, Gainesville, to San Antonio Brewing Association, 5-7-10, relates to poll tax payments, etc., in Cook County:



"We regret to inform you that we are again confronted with a prohibition election, to take place on the 28th inst. This is the fifth election of this kind we have had in the past ten years, but by judicious management we have so far been able to stay in the wet column.

"We are thoroughly organized now, having spent something like \$4,000 since November to keep our fences up, etc., and our campaign is being managed entirely by our leading business men, bankers and county officers, who have so successfully managed our campaign in the past." (S-6109.)

The following letter from G. H. Luedde, Waco, manager for Aug. A. Busch & Co., to Otto Wahrmond, San Antonio Brewing Association, 2-24-10, relates to the expense of poll tax payments in Bell County:

"I am drawing on you today for \$300 account of cash advanced for Temple as per my letter of recent date. We spent \$750 in Temple, of which I charged \$300 to our account, \$300 to you and \$150 to the Houston Ice and Brewing Company. This is about on a basis of the business done by the three breweries represented in that county." (S-6016.)

The reply of the San Antonio Brewing Association, 3-3-10, to the above from Luedde is as follows:

"Noting your favor of the 24th ult., on my return from Mexico, beg to state that rather than have draft go to protest or be returned unpaid, we protected it for the sum indicated in your letter, but it is all out of reason or proportion.

"When the writer spoke to you over the phone in regard to this, you stated that the expense incurred would be pro rated according to sales, in which event \$200, as our share, would have been reasonable; in fact, ample, so I feel that you should return to us the sum of \$100 at least. If you desire it, I can give you exact figures on which I base this contention." (S-6025.)

Letter from O. Paget to the breweries, 11-29-10:

"At the request of Mr. Adoue I am going to send out large cards urging the payment of poll taxes, and request that you will send us at the earliest possible moment revised list of all your agents, wholesale and retail, so we can send a letter to each and a package of the cards with instructions to have them posted. We may send you copies of the letter to be sent to them over your signature, asking that the matter be attended to, or we will send them out from this office under your instructions.

"Please send the list at the earliest possible moment, so that we can compare and revise it, thus avoiding sending twice to any one agent. This work is urgent, and while we realize it is round the first of the month, and you are naturally busy, we, however, urge upon you the importance of the matter as being worthy of your consideration." (S-6549.)

To the above, on 11-30-10, the San Antonio Brewing Association replied:

"We have your favor of the 29th inst., and pleasure in handing you list herewith.

"We deem it preferable that they be sent out by Galveston office, as we do not think it advisable to have the letters to which you refer sent out by the individual brewers nor the local concerns." (S-6554.)

Letter from O. Paget to the breweries, 11-30-10:

"Enclosed please find sample on paper, of a 'PAY YOUR POLL TAX' card, which we are about to issue. This office will, with the aid of the various agents, cover the smaller towns, and hope you will take care of your city.

"How many will we send you?

"An early answer will oblige." (S-6553.)

To the last above, the San Antonio Brewing Association, 12-2-10, replied:

"Noting your favor of the 30th ult., would respectfully request that you send us 1,000 of the cards referred to. We will share with the Lone Star with view of properly posting the city." (S-6559.)

Letter from O. Paget to San Antonio Brewing Association, 12-2-10:

"Enclosed please find letter and return card which I am sending to the various agents. If there is anything which you would suggest I can follow it with another. I am willing to admit that it is perhaps a little abrupt, but my experience with these men teaches me that they must be dealt with in just that way. They are not always alive to their own interests sufficiently to take action to protect their business." (S-6558.)

The letter to the liquor dealers referred to in the last above reads:

"By instructions of the brewery whose product you sell we are enclosing you a sample on paper of a card which it is desired you tack up in your town and vicinity, and put one in every house that will permit you.

"Please realize that early in 1911 there will be a State-wide prohibition election, and it is desirable that every anti in the State pay his poll tax.

"Your duty is: First, pay your own tax. Second, constitute yourself a committee of one to induce every anti you know to pay his poll tax. Third, do not slight this work; put up every card that is sent you. This is important. They cost money and must not be wasted.

"If there are two beer agents in your town, divide the work between you. A man who fails to do this work fails in his duty, not only to himself, but to those who are helping him to make a living, as well as to this great State. Therefore, you are enjoined to put up every card you call for, and ask for more if the first lot is not

enough, and from now until January 31st, 1911, put in every moment of your spare time in working amongst your friends and ask them to prepare for the ballots next spring by paying their poll tax." (S-6557.)

To Paget's letter of the 2nd, above, the San Antonio Brewing Association, 12-4-10, thus replied:

"Noting your favor of the 2nd inst., with enclosure, beg to state that the letter, in our estimation, is all right in every respect.

"We are somewhat curious, in fact, anxious, to know what interest our representatives take in your request, and will thank you to send us a list giving the names of our agents who respond." (S-6562.)

O. Paget, on December 6, 1910, wrote Otto Wahrmond as follows:

"Your letter of December 4th received, in re the interest displayed by your agents.

"I beg to say that so far the returns show the City Brewery well in the lead. The responses all around have been very slow up to the present, but I am inclined to think that your agents will, as a general proposition, pay more attention to this request to put up the cards than any other brewery agents, taking them man for man.

"We are sending you 1,000 cards by today's express. We have already put up 1,000 in Galveston, and it is having some effect, according to the statement of the Tax Collector.

"I am enclosing you a small circular which all the men we are working in the poll tax matter are carrying to the various towns and distributing them. There is a woeful ignorance upon the subject of who can legally vote and we find many inquiries from German communities where the voters are largely Republicans. They have been told that they cannot legally vote in a local option election if they have not participated in the Democratic primaries. Now this may sound very foolish to you, but it is nevertheless a fact. Our pro friends never fail to circulate an evil report or a falsehood manufactured out of the whole cloth if by it they can secure one vote, therefore, I request that you read the last paragraph, of of which this letter is an explanation.

"I would like to say in this connection that efforts have been made to bring all the labor organizations into line, and I sincerely hope that they will make a better showing than they have heretofore.

"The only perplexing point is North Texas; I cannot get Mr. Morgan even to reply to my letters, but the chances are that he is either sick or out of the city. I will try and get him over the long distance phone today, and have a talk with him on the subject. North Texas is our danger point in the coming election, and something should be done, and done quickly, to stir up an interest in the dry counties." (S-6564.)

(See "Rescue Association." See Griffin in H. T. B. book entries, HH-23, 37, 38, 41.)



Entry from page 34, "Cash Disbursements" book of the Houston Ice and Brewing Company of date 3-3-10:

"Voucher No. 926, folio 230, R. L. Autrey, general, to Eugen Graham, collecting 829 poll tax receipts, \$155.80." (HH-35.)

- To Paget's, last above, the San Antonio Brewing Association, 12-8-10, thus replied:

"Noting and appreciating your advice of the 6th inst., with enclosed circular, beg to state that as soon as we ascertain from you that any of our representatives have been remiss, we will be more than glad to get after them from this end of the line, so await your further advise as to this.

"We agree with you in that North Texas gives concern and we hope that you will soon get in touch with Mr. Morgan with view to getting things in best possible shape. Will be glad to hear further when in position to let us know.

"We think that it would be a very good idea to have some of the enclosed circulars printed in German." (S-6570.)

And to the last above of the San Antonio Brewing Association Paget thus replied, 12-9-10:

"Your valued favor of the 8th in re the poll tax cards received. I regret to say that the agents are very slow in sending in their requisitions, and tomorrow I will send out another circular to the delinquents. I believe though that the San Antonio Brewing agents are so far ahead, per capita, of all the others, but if all the other brewers in the State would manifest the same interest that you do and take up the matter with these people personally when I furnish them the names, it might do some good. If I were a brewer and had an agent who would not interest himself sufficiently to take hold of this matter and do a little work to keep the roof over his head, I would change my agent so quickly that it would make his head swim.

"I sent you yesterday, directed to Col. Wahrmund, a full line of all the literature which we have sent out, and a general statement of what this office has performed up to date, and I want to assure you, Mr. Koehler, that with the very limited help which I have in this office, it has kept us at work night and day. The letters to the labor organizations, of which I enclose you a sample, are being posted in San Antonio by one of our people, but all the work is being done here, and when you come to remember that there is over 30,000 members belonging to the organizations in the State, you will see that it is no child's job to get the work out.

"I am enclosing you a copy of the circular printed in German; I also have a man who speaks German in the German territory, and a man who speaks Spanish in all that territory west of San Antonio.

"We have four of the leading politico-religious negroes working in the negro territory, and Dr. Lincoln works amongst the purely 'American' sections. But North Texas is neglected, and I want to assure you, Mr. Koehler, that there is the danger point. If North Texas has

been handled correctly two years ago we never would have had the presentation of this question, but that is ancient history. Something should be done with North Texas, and done quickly. Mr. Wortham is no longer there, and if we depend upon Mr. Morgan we will be depending upon a broken reed. He is a good man, but I do not think his health would permit him to take the active part in this fight which should be taken. It can be handled well and properly, but time is slipping away. The commercial body will take care of Dallas, the same may be said of Fort Worth, but that is all. And if our people do not at once take it up we will be in danger. The prohibitionists have already had agents at work, and we are sleeping on our opportunities.

"Please bear in mind this is not a complaint, nor a 'Jeremiad.' I have lived for twenty years in the section of the State under discussion. I know the men of that section. I know their tendencies. I know how they can be handled, and I would stake my life on this proposition that if there had been such a thing in existence as the Texas Brewers' Association from 1901 to 1904, when that section was in the throes of a local option agitation, 75 per cent of it would have been saved. The 'pussy-footed' politicians were afraid to make a fight. They had 'still hunt' campaigns, and the prohibitionists hunted them out of that section. Whenever you have a still hunt campaign prepare for defeat, for it is bound to follow.

"I make this further prediction: If this thing is handled properly NOW, and we can get the poll taxes paid amongst the negro and white laborers if the amendment is submitted to the people, and we make a strong, daring and uncompromising fight, we can whip them by from sixty to seventy-five thousand majority, and inside of two years fifty of the dry counties can be brought back into the wet columns. I may be dead by that time, at least I hope so, but it can be done. Now mark this as a prophecy, or better still, as a deduction from prophecy, or better still, as a deduction from preceding facts.

"I sincerely hope that your association will take up this North Texas proposition vigorously and get to work. We have only six weeks in which to do it, and it takes in nearly one-third of the State as far as population is concerned.

"Hoping that you will give this letter your consideration and again assuring you that it is not a howl nor a belly ache, but an earnest desire on my part to see the right thing done at the right time, I have the honor to remain." (S-6572.)

To Paget's last letter, above, the San Antonio Brewing Association, 12-12-10, thus replied:

"Your letter has been duly received and noted, and you may be assured that you have my sympathy in its entirety, for I, too, believe this question of poll tax payments should be taken up and immediate action should be taken with that object in view. I had really intended to call on Mr. Adoue in Galveston and perhaps Mr. Wolters of Houston also in this connection, but as Mr. Wahrmond is in Mexico and has had this in hand more or less, I have decided to await his return,



which will be in a day or two, but aside from whatever his opinion may be, one thing is certain, I am in favor of a vigorous campaign being waged immediately, similar to the campaign which took place in Missouri, where the business element urged matters, the brewery and saloon people not being directly engaged in it, and taken up from house to house, from bank to bank, from factory to factory, until all poll taxes have been paid, and this should be done at once, before it is too late.

"While I admit that the time, two weeks before Christmas, is to some extent against us, as the poorer classes need all the money they have for the purchase of Christmas presents and can ill afford to spend the sum of \$1.75 State and county, \$1 for city tax, total \$2.75. Still it will take us that length of time in which to perfect our organization, and a vigorous campaign could be waged immediately with the beginning of the new year. We must not rely upon spasmodic working on part of saloon and brewery people and a few friends, for that will not amount to much. Organization is what we must have, and there is no time to be lost either, for the fact is that 90 per cent of the liberty-loving people of our State do not really know that State-wide prohibition will be voted on next year.

"I have ascertained this to be the fact since my return about ten days ago, having interviewed a number of people who should be in a position to know, and they have expressed great surprise when I told them what they might expect, almost invariably remarking to me that they thought the election of Colquitt settled the matter, and had no idea that the question would be brought up again next year. In this connection I beg to hand you herewith a clipping taken from The Express of even date, urging the people to pay their poll taxes solely on account of our local fight, for or against commission form of government, they also not deeming it of such or sufficient importance to mention the prohibition election. This was one of the matters that I desired to see and converse with Mr. Adoue about, The Express, the same in the Light, of a business proposition. I deem it of paramount importance that we arrange for a meeting of the brewers and the anti-pro leaders just as soon as possible with view of discussing the matter referred to, perfecting organization and waging a quick and vigorous campaign, for there is very little time to be lost, and it behooves us to come to a very early and definite conclusion." (SS-87.)

On 12-13-10 Paget wrote Otto Koehler, San Antonio Brewing Association, as follows:

"Your valued favor of December 12 in re the poll tax cards, received. I beg to assure you, Mr. Koehler, that this office is doing everything in its power to see that the poll taxes are paid. I am afraid that you did not read the report which I sent you a few days ago, and samples of the literature, etc., etc., which we sent out, and I ask you to look over it if you have not done so. I am sending you another copy of the report, fearing that the other one may have been mislaid, and I beg to say that the daily reports received from our men in the field are most flattering.



"So far as South Texas is concerned and East and West, I have no fear of it. North Texas is utterly neglected except amongst the colored men; that part I am taking care of and the results are beyond expectation.

"The work now being done by both colored and white is done through organization; perfectly, absolutely. There are no hitches, and there are no errors, and when your people meet I would be very glad if you could spare time to go over the daily reports received from our workers.

"With the hope that this North Texas proposition will be taken up at once, and I beg to say in this connection that I know the men who can do the work if I had the power or the authority to get them busy, and thanking you for the courtesy of your reply and the interest you have exhibited therein, I have the honor to remain." (SS-86.)

O. Paget, campaign manager of all the breweries interested in Texas elections, wrote the following letter and sent a copy to each member of the Texas Brewers' Association:

"Galveston, Texas, December 7th, 1910.

"Dear Sirs:

"At the suggestion of Mr. B. Adoue I am sending you this report of the work that is being done in this office, in an endeavor to awaken an interest in the payment of poll taxes by the citizens of the State, both white and colored. If it were possible to reach only the anti voters different measures would have to be taken; as it is, we must reach the general public and trust to other work and an earnest endeavor on their part to get a majority of the voters.

First—You will notice Exhibit A: Here is a letter signed by the president of the Federation of Labor, and over his own signature a request that the address be placed in the hands of every labor man. He is also in the field in an endeavor to awaken an interest in the payment of poll taxes. As the labor organizations have strong reasons for urging payment this year, it being what is known in politics as an 'off year,' the interests and desires of the labor men are not seriously affected, except in large cities, where local matters obtain their attention. These letters speak for themselves.

"Second—Exhibit B: You will find in this exhibit first, a route list of two of our men, Dr. G. S. Lincoln and W. C. Homberg, a well-known citizen and politician. V. V. Daniels is taking in West Texas from San Antonio to the Grande. It is impossible to give his route list, as he makes that as exigencies arise, and notifies me accordingly. Each man carries a bundle of cards printed in English. Mr. Homberg carries an additional bundle printed in German, and Mr. Daniels carries Spanish and English cards, samples of which you will find enclosed.

"The purpose of the white men is to at this time urge the retail dealers of the State to organize themselves into local associations for own defense, to subscribe money for that purpose, and to have a treasury into which the funds can be placed to meet all contingencies which arise and threaten their business. For which purpose meetings

of the retailers will be held, associations formed and duly reported to this office. See blank report sheet enclosed.

X "They will also carry, as you will notice, a circular in English entitled, 'Who can Vote?' Now, it would seem to an intelligent man that this is unnecessary, but I beg to assure you that there is more ignorance upon the subject of who is entitled to vote than on any other connected with the franchise, and especially amongst our friends engaged in the retail traffic. Many German Republicans who pay little attention to politics have been led by the prohibition speakers to believe that they cannot vote in a local option election if they have not participated in the Democratic primaries. To these the last paragraph of the circular is particularly directed.

X "Next—They carry a power of attorney by which any man can appoint another his agent to pay his poll tax. This is in due legal form. Before printing same I submitted it to the judgment of some of the best attorneys, and without an exception they said it complied with all the requirements of the law, and if properly filled in, duly entitled any man to pay another's poll tax; providing, of course, that the party desiring to pay would be otherwise a qualified voter. You are aware, of course, that the decision in the case of Wallis vs. Williams, 110 S. W. R., p. 785, renders this practically unnecessary, but it is the proper thing to do if the poll tax is to be paid by any agent to have it done in such shape that there can be no legal quibble in consequence.

"They carry envelopes, telegraph night blanks and each man, colored and white, carries a small book like enclosed, in which every item of expense is entered.

"Three white men are not enough to cover the field, but it is the best I can do at present. Each of the large cities in which breweries are situated ought to be, and no doubt will be, able to take care of their particular territory. This is a very important matter and I feel sure it will be attended to.

"Exhibit C, the Colored Men—See route list enclosed. These four men are competent to handle the colored voters of the State, but some assistance would be needed in the belt of territory west of Dallas and along the Texas & Pacific Railroad, as only one man, Stokes, will be working there.

X "Each man carries with him: First, poll tax cards; second, Lincoln posters; third, 'Who can vote?'; fourth, powers of attorney to pay poll taxes; fifth, package of Dr. Lincoln's books; sixth, Stokes' circular; seventh, the address to the colored voters, with the regular daily report sheets, envelopes and night telegraph blanks.

"These men will, I believe, do the work and do it satisfactorily. The matter is as well organized as one man can do it. I am confidently looking for good results.

"If there is any change that you can suggest, or if there is anything else that you would like done, I would be more than pleased if you would give me your suggestion at the earliest possible moment, and remain.

"In addition to the foregoing we sent a letter and a postal card



to every beer agent in the State, the names being supplied by the various breweries, the copies of which have been already sent you, and up to date, on their promise to put up these poll tax cards where they will do the most good, we have sent out by this means alone 12,000 cards, and it looks as though 10,000 more will be needed. This is one time when the State of Texas from the Red River to the Gulf will be properly billed in the poll tax matter." (T-1431-2-3.)

Following is a letter from S. T. Morgan, Dallas Brewery, to O. Paget, 12-7-10:

"I have your favor of the 6th inst., also letter from Mr. Adoue, under the same date, and I regret that either of you have cause for complaint against what would appear to be negligence on my part. I assure you that it was not done intentionally, and that I not only realize the importance of the poll tax question, but appreciate the efforts of you both in this matter.

"Our Mr. Hickcox sent you list of a few parties who in the past sold our goods at wholesale, but you will please bear in mind that we now have only one active wholesale dealer, this being the Bert Ramsey Company of El Paso, all the balance of our dealers having been put out of business by reason of local option.

"As to conditions in this city and county will state that our Chamber of Commerce has expressed a desire to handle the poll tax proposition the same as they have been doing for several years past, and I think this the best plan not only from a standpoint of economy, but by comparing the records you will find this city has the largest pro rata of paid poll taxes than any of the large cities in this State. With the list sent you by Mr. Hickcox before you, and with the information herein contained, if there is any other information I can give you, or if you have any suggestions to make I will be pleased to hear from you." (DB-1183.)

The following is a letter from S. T. Morgan, Dallas Brewery, to B. Adoue, 12-7-10, relative to poll tax payments at Dallas:

"Replying to your favor of the 6th inst. will state that I regret very much either yourself or Captain Paget have cause to complain on my seeming neglect in answering your letters or complying with the requests therein contained. I did not receive your letter until Sunday. I was out of the office Saturday and Sunday, and had so much to look after Monday that I did not write you until yesterday, on which date I sent you check as requested, and also wrote you concerning correspondence had with Mr. Luedde on the fixture question.

"I had our Mr. Hickcox make up the list and write Captain Paget on the poll tax question, and I suppose he has this letter before now. I am writing Captain Paget by this mail as per copy herewith, and I wish you would call his attention to the request of our local people to the effect that it is thought best to have our Chamber of Commerce handle the poll tax question in this city, as by so doing no prejudice is raised, leaving to us at the same time full opportunity to do quiet



and effective work with the wholesalers and retailers without putting the public on notice that a certain class of our citizens are making a special effort to get their friends to pay their poll taxes. You will understand that our friends direct largely the efforts of the officials of the Chamber of Commerce in this matter, and that said Chamber of Commerce have men that give their special attention to the organized as well as the unorganized labor vote of this city. The same people will handle this question this year that have handled it in the past, and I believe the records will show that this city has the largest pro rata payment of poll taxes of any city in the State." (DB-1184.)

Letter from Carl Kirchner, joint agent San Antonio Brewing Association and Houston Ice and Brewing Company, El Paso, to Otto Wahrmond, San Antonio Brewing Association, 12-8-10:

"Referring to your letter about the poll taxes I find on investigation it will be awfully hard to get any one interested unless the liquor interest starts it with some money. It is hard to get the banks or merchants to put up anything or take any interest unless the liquor and beer interest make a start. The whole proposition can be handled very nicely through the local political organization, but it is going to take some money. The different dealers have talked the matter over and they are more than willing to put up money. It appears to me to keep down a lot of friction and the loss of a lot of votes to be necessary to put up about a hundred each and maybe more later. Please write me again how you feel about the matter." (S-6569.)

General letter from O. Paget to liquor dealers, 12-10-10:

"On the 4th inst. there was mailed to you a circular letter enclosing a return postal card (same as one enclosed herewith) and up to this writing we have not heard from you.

"It strikes us very forcibly that this is a strange indifference upon your part to a matter that should be of vital interest, engaged, as you are, in a business the very existence of which is seriously threatened. It is this same indifference on the part of the men who are most vitally affected which has produced present conditions and placed two-thirds of our great State in the hands of reactionaries, and, is so discouraging to your friends and the friends of personal liberty.

"The circular letter of the 4th was sent you by instructions of the brewery whose product you sell, and this is sent to know your final action.

"Have at least the courtesy to send back the card enclosed, and if you don't want to help your business and that of the breweries enough to place up a few cards, be frank enough to say so, and we will then know just how to act in your neighborhood. This writing takes time and money, none of which we have to spare.

"By next mail, if possible, return enclosed card, with the number of poll tax cards you want written in the blank space put there to write in, or simply the word 'None,' and we shall know what to do." (A-3152.)

The next two letters, of dates 12-7-10 and 12-10-10, respectively, written by the San Antonio Brewing Association to its agent at Beaumont relate to poll tax payments at Beaumont and Port Arthur:

"We enclose herewith letter from Capt. Paget, the same being self-explanatory. Would be pleased to know what you think of their proposal? Kindly favor us with an immediate reply so that we may be in position to advise the Captain definitely." (S-6566.)

"We have your several favors of the 8th and 9th inst., which have been noted.

"We are writing Capt. Paget today advising that we would take care of our pro rata of the \$500 expense referred to, this in line with your advice." (S-6577.)

General letter of O. Paget to the breweries, 12-17-10:

"Enclosed please find list of your wholesale agents who failed to reply to our several letters, asking them to see that poll tax cards were posted in their locality, offering to send them whatever quantity they might want and also requesting them to interest themselves in the payment of poll taxes by their friends, urging such friends to prepare for the State-wide election in 1911.

"The fact that they did not reply does not mean that the location has not been covered by our own people, who are working in this interest, but it does seem to the writer men employed in the business of wholesale beer agents ought to have enough interest in the business to at least notify the office whether they would do as requested or not." (A-3158.)

To the last above the San Antonio Brewing Association, 12-19-10, replied:

"We have your favor of the 17th inst. with submission of list for which we thank you. We will get after the delinquents at once, and hope that you will soon hear from them." (S-6598.)

Letter from San Antonio Brewing Association to its agent, J. M. Koch, D'Hanis, 12-19-10:

"Our Galveston office advises having addressed you in our behalf in regard to poll tax payments, distribution of cards throughout your city, etc., but state that they have not been favored with a reply.

"We can't quite understand this, for we are at a loss to conceive how it could have been overlooked if you received letter? You realize of course, how important this is to all of us, so please write them at once asking that they send you the necessary cards for distribution." (S-6593.)

Excerpt from letter from O. Paget to Otto Wahrmond, San Antonio Brewing Association, 12-17-10:

"I have been requested by our man whom we sent into West Texas to ask you to stir up your agent, Senor N. Pena, at San Diego. He is

very indifferent in the poll tax matter and a reminder from you will wake him up." (S-6591.)

To Paget's last above, the San Antonio Brewing Association thus replied, 12-21-10:

"I thank you for directing my attention to the San Diego matter, and will write our good friend, Mr. Pena, on the subject." (S-6603.)

The letter from San Antonio Brewing Association to Pena, referred to in the last above, is as follows:

"From all accounts and indications, we will have a State-wide prohibition election next year, so it behooves all of us to get out our poll tax receipt, and get our friends to do so, that we may be prepared to vote for the protection of our interests.

"We will appreciate it if you will advise us if our Galveston office has sent you any poll tax cards to be posted up, also if you are taking any interest in having all of your friends pay their poll taxes?

"You are aware, no doubt, that it has cost us a very large sum of money to fight State-wide prohibition, and we have to depend on the aid of our friends in this respect, and we feel sure that we can count on your assistance.

"Hoping to have the pleasure of hearing from you." (S-6604.)

Letter from Pedro Velasquez, beer dealer, Encinal, to San Antonio Brewing Association, 12-19-10:

"As your representative is well satisfied that all the Mexicans around here are well known by me and I am counting they will help us on the election; so you will see that next month will be the month to get the poll tax receipt and I am asking you if you are willing to give me a help with something to make up a good amount of poll tax receipts for my customers. Make an information if this is going to be a general election in the State or just in the county and answer.

"Most of the inhabitants good voters are Mexicans; there is a few Americans." (S-6594.)

Letter from C. H. Sayers, beer dealer, Hondo, to San Antonio Brewing Association, 12-19-10:

"Now in regard to State-wide election in 1911: There are some 350 Mexicans in this county who are qualified voters, providing they pay their poll tax, and I believe by giving a Mexican dinner here and having speeches made I can secure 200 voters to pay their poll tax at an expense of about \$50. Now there are four saloons in this town, and if you and the Lone Star could stand this expense I will have a Mexican to go around and speak to the Mexicans and have a dinner and we will have a lawyer by the name of S. J. Auston, from Alice, Tex., to make a speech to the Mexicans in our behalf." (S-6595.)

Letter from V. V. Daniels, Eagle Pass, poll tax representative of the Texas Brewers' Association, to San Antonio Brewing Association, 12-28-10:



"On my rounds over the State organizing the saloon men and assisting them in preparing for the fight against prohibition in 1911, I find a bad state of affairs here with your agent, Mr. Taylor. He assumes the attitude that Governor Colquitt will not permit an election, etc., and even if one is held there is no use making a fight, that we are beat; that he would not spend 15 cents on it, and would have nothing to do with it, and a lot more disgusting slush along that line.

"I only arrived here this P. M., but will later see the other saloon men and do all possible to awaken them to an interest. In all other places interested I have met with splendid success, especially from your agents, but this man with his 'holier and wiser than thou' talk will hurt our cause badly here. He says he will attend the meeting if I get it up, but will make the same talk at the meeting.

"This county has a population of more than 5,000, and a possible vote of 1,250—1,000 anyway—85 per cent of which is anti. With such assistance as your agent appears willing to give, we are more than likely to not receive more than a bare majority of about 250 or 300 votes.

"I will proceed anyway and Capt. Paget can later supply you with a copy of my official and final report." (S-6616.)

The San Antonio Brewing Association replied to Daniels' letter, 12-31-10, as follows:

"We have your favor of the 28th inst. and thank you for directing our attention to the attitude of the Eagle Pass party.

"We are writing the gentleman today, and feel quite sure that we will be able to count on his co-operation." (S-6620.)

The following is a letter from Mr. C. Schunior to the Houston Ice and Brewing Company, dated December 26, 1910:

"In regard to the placards urging the payment of poll taxes, I have got them and posted in different places and ranches, places I believe that they will do good. Also wrote to Captain O. Paget that have attended to this precinct for several years, and I know how to handle this precinct. All our votes are Mexicans, but we need money to work it. Very near all are good voters, but they do not pay their poll taxes unless someone does it. For that reason we have to have money to attend to that part, and also money for the day of the election, because my business is so small and the revenues of the same do not justify me to make such expenses besides the work that has to be done, as I told Mr. Daniels." (H-312.)

On 12-31-10 the San Antonio Brewing Association wrote W. W. Taylor, its beer dealer at Eagle Pass, referred to above, as follows:

"The probability is that we may have a State-wide prohibition election next year, as the pros have majority in the House as well as the Senate. Notwithstanding the fact that Governor-elect Colquitt is staunch anti, he could hardly prevent this if they can muster the necessary two-thirds, and they may be able to do this.

"As things look, it behooves us to get together, and I would like

to know what our good friends there have done in the way of organization, getting the antis to pay their poll taxes, etc.

"Trusting to have the pleasure of hearing from you, and wishing you the compliments of the season, a very happy and prosperous New Year, I beg to remain." (S-6619.)

1911.

The following letter from Wm. Saenger, agent of San Antonio Brewing Association, Beaumont, to San Antonio Brewing Association, 1-11-11, refers to poll tax payments at Beaumont and Port Arthur:

"The several brewery agents and saloonists of this town met during writer's absence to San Antonio for the purpose of devising ways and means toward creating a fund with which to defray advertising expense in the coming prohibition election. Likewise was such meeting held at Port Arthur. We were taxed \$150 at this point and \$50 at Port Arthur. All other brewery representatives were taxed likewise. Our saloonists subscribed from \$25 to \$150 each. We take it that you will readily understand the class of advertising that we refer to, and with this are." (S-6626.)

Letter from O. Paget to Otto Koehler, San Antonio Brewing Association, 1-23-11:

"I have been doing the best I could in Caldwell County, but they are very slow.

"I enclose letter from Mr. Griesenbeck and respectfully ask that you will, upon receipt of this letter, call your agent at Luling over the phone and tell him to get busy, impressing upon him the importance of the matter of seeing that our friends qualify themselves to vote. One of our people will be at Luling not later than Wednesday at the outside in this matter and will do everything to stir up interest. We have no time to lose, and the pros are going to try to carry Caldwell Country dry and will unless we get in in time to protect it. Our best friend there, Carey Smith, is not there any longer. He claims the saloon men did not treat him right after the last election." (S-6653.)

The following is a letter from A. F. Jecker, the agent of San Antonio Brewing Association at Goliad, to San Antonio Brewing Association, 1-16-11:

"There are a good many negro and Mexican voters in Goliad that pay no taxes, and as there is no official election this year do not think it necessary to pay the poll tax. It is a settled fact that there is some one here among the pros offering to give them the \$1.75 providing they vote the pro ticket. I have paid a few anti negro and Mexican's, but can't hold up the whole business, for as soon as this gets out among them the whole damned business will expect some help from me, and it would not do to refuse them. Am satisfied almost every negro will vote anti. The saloons are doing a little, but not

hurting themselves. They seem to be afraid of violating the law by doing so. Please let me hear from you." (S-6631.)

Reply of San Antonio Brewing Association to the last above, 1-17-11:

"Noting your favor of the 16th inst. beg to state that it seems a pity that the merchants of your city, as well as the saloon men, cannot do as they are doing at other places. Take this in hand and see that all of the good antis pay their poll tax. As you well know, the breweries have their hands more than full at present, and if we had to take care of this additional item of expense it would necessitate our giving up the brewery in the future.

"We will appreciate it if you will kindly take this matter up in our behalf, impress both the saloon men and merchants that this is neither a fight of the breweries or the retail liquor dealers, but a fight for personal liberty in which all are concerned, and we hope that they will see their way clear to aid us in preventing the State from going 'dry' and unless they do their very utmost it is only a question of time when the State of Texas wil go 'dry.' This, however, is only for your information, is not for publication. We have warned all of our friends of the gravity of the situation, so if they persist in remaining indifferent they will have to take the consequences. If they are put out of business it will be their own fault. The time is not far off now, we have but a couple of weeks in which to do effective work, so it behooves all of those who love liberty to do all in their power to offset the efforts of the opposition, and keep the great State of Texas in the 'wet' column. While it is illegal to pay poll tax for another, there is no law which will prevent the loan of the amount of money necessary to a friend or acquaintance for the purpose, whether the money is ever paid back or not. You are also aware, no doubt, that all young men who will have arrived of age by the 1st of August, 1911, are entitled to receive an exemption certificate and can vote in the coming election.

"Hoping that you may be able to arouse the necessary enthusiasm, and that our friends there will aid you and us in remaining in business, we beg to remain." (S-6636.)

Letter from C. K. McDowell, Del Rio, to San Antonio Brewing Association, 1-17-11:

"At the request of Louis Keiffer, I am writing to inform you that unless there is some assistance given the saloon men here there will be at least two hundred Mexicans that will not pay their poll taxes. This is an off year and very few of them will pay if not assisted. There has been less than one hundred of them paid to date and that has been attended to locally." (S-6637.)

Relative to the matter mentioned in McDowell's letter above, the San Antonio Brewing Association wrote its agent, Louis Keiffer, Del Rio, 1-18-11:



"We beg to hand you herewith copy of letter received from Judge McDowell and our reply thereto, all of which is self-explanatory.

"We are receiving similar applications from all over the State, and much as we would like, we are really not in position to take care of the same. As stated to Judge McDowell, we have not the funds, in fact, the combined breweries of the State would not have sufficient money to take care of this expense, and this is one time when we are compelled to depend on our friends to help us out. It is taking virtually all of our profits now to fight State-wide prohibition, so if our friends do not come to the rescue and aiding us in offsetting the pro majority in North and East Texas it means that all of the saloons as well as the breweries will be put out of business. Now, Louis, do not cast this lightly aside, thinking that our remarks are mere idle talk, but give the same the serious consideration that the situation deserves, for we positively mean every word that we say.

"The State-wide election will surely come off this year, and we must be prepared for the fight when it does take place by fortifying ourselves and friends with the necessary poll tax receipts right now, for we have not quite two weeks in which to do this. The fight is virtually on right now, and when the time rolls around to vote, no matter how good the intention of all antis, if they have not paid their poll tax they can do absolutely nothing! Why not see your merchants, get them interested in the matter, create an organization and levy an assessment as is being done in other places? You and other friends there can inspire the necessary enthusiasm if you will get right behind the subject, so please do not delay. If you and other friends in the Southwest fail to do this then we are gone, that is all there is to it.

"We will be pleased to hear from you." (S-6639.)

Notice to employes issued by San Antonio Brewing Association, 1-20-11:

"It is earnestly hoped and the management will appreciate it very much if all employes who have not already paid their poll tax will do so without further delay so that they will be in a position to vote against State-wide prohibition, an election for which will be held in all probability during the next July." (S-6644.)

Letter from San Antonio Brewing Association to H. L. Mann, Von Ormy, 1-20-11:

"We have spoken to all of our friends, as far as possible, relative to the payment of poll tax, not only to pay the same personally, but to try and induce all of our friends to do the same, so that they may be in position to vote when election takes place for State-wide prohibition, in all probability during the coming month of July.

"We have not had the pleasure of seeing you, and we cannot tell just at this writing when we will have representative there, so will appreciate it if you will kindly drop us a line and let us know how all of our friends are paying up. We hope that you will do all in your power to induce them to pay their poll tax, for we will have the fight

of our lives on hand this year, and we must do all and everything in our power to offset the pro majority which may be rolled up in North and East Texas." (S-6645.)

Excerpt from letter from San Antonio Brewing Association to its agent, Max Wahrmond, Fredericksburg, 1-21-11:

"I also appreciate the kind interest manifested matter poll tax payments and hope that you will keep up the good work so that when the election takes place our friends in Gillespie County will be in a position to do their duty." (S-6648.)

Excerpt from a letter from S. T. Morgan, Dallas Brewery, to Hon. A. S. Crisp, House of Representatives, Austin, Tex., 1-25-11:

"We are very busy here looking after the payment of poll taxes, and I am glad to say that up to last night we show an increase of 1,200 over the same period of 1910." (DB-1193.)

Letter from O. Paget to MEMBERS of Texas Brewers' Association, 2-2-11:

"I have started in compiling our profit and loss account on poll taxes, and up to this hour, according to the returns in the Daily News and our statistical condition of the State, the results are as follows:

"POLL TAXES IN 147 COUNTIES OUT OF 245. THE RETURNS ARE INCOMPLETE FROM 90 OUT OF THE 147 REPORTED.

Gain in wet and partially wet counties in 1911 over 1910.....	24,961
Losses in dry counties in the same period.....	14,077

"Making a total gain to the antis for 1911 over 1910 of....39,038"  
(TB-1451, also A-3183.)

Reply to last above by S. T. Morgan, Dallas Brewery, 2-4-11:

"The showing as set out in your favor of the 2nd inst. is good and I am entirely satisfied. Especially of the results in this city and county, which will total about 24,000." (DB-1195.)

Reply to Paget's of 2-2-11, above, by San Antonio Brewing Association, 2-9-11:

"Your favor of the 2nd inst. was received in due course, and the information contained therein is very valuable and quite interesting. It looks all right as far as it goes, but no doubt you have since received complete returns and have compiled your figures. If so, will appreciate a copy of the report." (S-6677.)

The following is a letter from G. H. Luedde, Waco, manager for Aug. A. Busch & Co., to W. J. Althans, an officer of the Anheuser-Busch Brewing Association, St. Louis, 2-14-11, about the payment of poll taxes in Bell County:

"Your copy of letter at hand, and notice your notation and in reply would state, friend Althans, that I think the situation in Temple

at present is in very good shape. Mr. Winn and Mr. Blum, the latter being representative of the San Antonio Brewing Association, both worked very hard during the past thirty days for poll taxes. I visited Mr. Wahrmund about thirty days ago, and he and I together raised the price of beer in Temple to 25 cents per barrel, and I have talked to Mr. Winn, and he had Mr. Blum come to San Antonio, and Mr. Wahrmund talked to him. Since that time Mr. Blum has taken the agency for the Magnolia Brewery, so that the beer business in the town is controlled by the two dealers, Mr. Winn for Aug. A. Busch & Co. and Mr. Blum for the City Brewery and for the Houston Ice and Brewing Company. Mr. Wahrmund gave Mr. Blum strict orders that he must not bother the Anheuser-Busch saloons and have given Mr. Winn strict orders that he must not bother the other saloons of Mr. Blum's, and they are working along these lines I know. Now, there are some disgruntled politicians in Temple that are always trying to pull the liquor interests into the fight, and because these men will not be pulled at all times these disgruntled politicians are a little sore. Bell County this year has more poll taxes and is in better shape than she has ever been, and will give a large majority for the antis during the State-wide prohibition election, all because Messrs. Winn and Blum personally got the poll taxes. Now, I have been in touch with both these gentlemen the past thirty days and I know what they have been doing. I further know that the saloons are obeying the law more so than they ever have before. Now, if you have any inside information that you can give me, I will run it down personally and let you know, but on the general charge that you make, I do not know what you are driving at, and I hope you give me the inside information that you seem to have. The saloons on the outskirts of the city have been closed, the dives at the depot that they used to talk about have been closed, the gambling in connection with the saloons is closed and I doubt whether you will find many towns that the saloons are in better shape than at Temple.

"Now, I want to thank you kindly to give me the information that you have, so that I will know what line to work on." (TB-1452.)

Excerpt from expense account rendered San Antonio Brewing Association by its agent at Cameron, F. C. Fahrendorf, 2-14-11:

"1-25, Donation for poll tax.....\$25.00"  
(S-6685.)

Letter from F. C. Fahrendorf, Cameron, to San Antonio Brewing Association, 2-17-11, relative to the last above:

"In reply to yours of the 16th, I thought Mr. Moede had advised you about the \$25. Kindly take it up with him and he will explain it more thoroughly. Hoping everything will be satisfactory, I remain." (S-6690.)

Mr. Moede, mentioned in the above, was traveling man for San Antonio Brewing Association.

Reply of San Antonio Brewing Association to last above, 1-19-11:



"We have your favor of the 17th inst., and your account will be credited with the sum of \$25." (S-6693.)

Letter from San Antonio Brewing Association to A. J. Barthelow, its beer dealer at Laredo, 2-2-11:

"We are surprised, to say the least, to note returns from your county matter poll tax payments. According to report, your people have not paid half as many as were paid last year, and we are at a loss to account for this, especially so considering that you assured the writer that everything was all right in Webb County; that you would make very good showing! As matter of fact, your county shows up in worse shape than any of the anti counties, and as stated, we are at a loss to account for this and would appreciate hearing from you on the subject." (S-6666.)

The following is Barthelow's reply to the last above, 3-6-11:

"In answer to yours of February 2nd, 1911, will say that both myself and the Anheuser agent, S. N. Johnson, were surprised at the poor showing made. Mr. Johnson did not fail to tell the leaders what he thought of it.

"Both he and myself had all our men to go. The funds were placed in the hands of the proper committees. We will get a big majority when the event comes off." (S-6705.)

Excerpt from a letter from O. F. Seargeant, beer dealer, Brackettville, to San Antonio Brewing Association, 2-2-11, relative to poll tax payments:

"The saloon men met some time ago and organized for the purpose of devising ways and means for the coming election, and I have taken the liberty to subscribe to the campaign fund on behalf of the brewery, the sum of \$50, the Lone Star, through Sharp & Rivers, having subscribed the same amount. We will naturally have to expend quite a little between now and election, and inasmuch as I had to bear all the expenses (individually) of the election last July primary here, thought the brewery would be willing to subscribe the above amount. If not entirely satisfactory, charge off, and I will remit to cover." (S-6667.)

General letter from San Antonio Brewing Association to all its agents, 11-25-11:

"We are sending you by express today \* \* \* poll tax cards, and would ask that you kindly place one in each saloon, and the remainder distribute and have them put up where they will do the most good.

"You realize the importance of having all of our friends pay their poll tax, so ask that you not only see that these cards are distributed judiciously, but do all in your power otherwise to have them pay the tax." (S-7030.)

Letter Houston Ice and Brewing Company to Mr. Theo. Baughman, Texas Guide, Palestine, Texas, 12-20-11:

"We enclose check for \$10 which was overlooked in the last letter we wrote you.

"We trust you will advise the colored race to pay their poll taxes, and qualify for citizenship and exercise their functions as such." (H-555.)

Letter Theo. Baughman, editor Texas Guide, to Hon. R. L. Autrey, Houston Ice and Brewing Company, 12-26-11:

"Yours with check for \$10 received, for which accept thanks. We have just returned from a trip, visiting several towns and many negro homes. We are preaching the Texas Guide and poll tax to them. Commencing with our next issue we will use much space trying to interest the negro in paying his taxes. You may depend on us doing our part. We are always glad to serve our friends. The Guide will 'cut lose' in earnest the next issue." (H-557.)

1912.

Notice issued to "ALL Employees" by San Antonio Brewing Association, 1-22-12:

"We beg to inform you that the management desires, in fact, will have to INSIST, that all of those in our employ who are eligible (and every one should be) pay their poll tax at once, so that they will be in position to exercise the rights of citizenship at the proper time.

"Your IMMEDIATE attention, in case that you have not already paid the tax, will be appreciated." (S-7074.)

Excerpt from letter from S. T. Morgan, Dallas Brewery, to Bert Ramsey & Co., beer dealers, El Paso, 1-23-12:

"We note the enclosures as stated in your letter, except you failed to enclose poll tax circular. In this connection will state that we consider it of great importance that all ANTIS pay their poll tax, as you will note from clipping from the Dallas News of Saturday (the 20th instant) that Judge Ramsey, a candidate for Governor, comes out strong, not only in favor of the prohibition question, but for all kinds of drastic regulation measures of a vote-catching nature, hence as above stated, all ANTIS should consider Judge Ramsey's challenge seriously and pay their poll tax and be ready to vote their sentiments at the proper time. You and the friends interested in the business at El Paso should make a special effort to get your friends and customers to not only to pay their poll tax, but to get their friends in turn to do likewise." (DB-1259.)

The following is an excerpt from a letter written to R. L. Autrey, Houston Ice and Brewing Company, by D. F. Remley, beer dealer, Alvin, Texas, March 13, 1912:

"\* \* \* as to my personal account with the brewery will say

Robert has me charged with a lot of poll tax money, Mr. Autrey, that he should not, and he knows it, for I told him. The time that the negroes wanted to pay their poll taxes Mr. Hamilton told me to, and I give them the order, as I was instructed to do, and when we come to a settlement I turned in the names of all of them but about six at that time, and in that number was the negro at the Macatee Hotel and some of the Fargo negroes, and I told Robert at the time I was fired that he could get their names from the Fargo negroes as I had to leave town and did not have time at that time to get them. Now, Mr. Autrey, you can find out from the young fellow at Rouse's Drug Store that I spent the money just as I reported that I had done. I forget his name now, but I paid him up in a room in the Big Casino after the time was up that night. Robert still holds my due bill for the \$50, but he should not. Now, the time that I was fired you owed me for 16 days, 28 days in that month, making \$57.12. I drew a due bill for part of it and left enough to pay my personal account. Now Robert comes along and says that I owe him a lot more on that account. Please see if you cannot fix this up for me some way, as it looks like the longer I stay on the books the more I owe. If necessary I can come up there some Sunday and have the matter taken up with you personally, as I assure you that I want to do the right thing, and in the long run you will find that I did my duty as well as any could do and the best possible that I knew how. I will try and get the name of the clerk that was at Rouse's and get him to write you a note to show you that what I have told you has been the truth. Now in conclusion, please fix this matter up for me at once and then you see that my account don't look so bad at all, or rather I don't think so." (H-746.)

Letter from Edward A. Faust of Anheuser-Busch Brewing Association to Texas Brewing Company, October 26, 1912, relative to the expense of poll tax payments at Fort Worth, 1912:

"We are in receipt of your statement, making remittance to us of \$3,152.97, covering your purchases of malt. We note, however, that a deduction of \$5,000 was made and charged against the writer, August 9th. I had been under the impression that this matter was taken care of by Mr. Autrey. Will you please inform me as to the status of the case, as it was arranged that it should be forthcoming from that gentleman?" (TT-37.)

The following letter, dated 12-19-12, from R. L. Autrey, Houston Ice and Brewing Company, to Texas Brewing Company refers to matter mentioned in the last above:

"I hand you herewith check for \$5,000 to reimburse you for amount paid out last summer to Dallas committee.

"This was done in accordance with understanding with Mr. Faust." (TT-37.)

The following is a letter from Theo. Baughman, editor of a negro paper, Palestine, to Lone Star Brewery, December 11, 1912:



"The Texas Guide is the only negro anti-prohibition newspaper in Texas, and has for years, espoused the cause of personal liberty, and now, each week urging the colored man to qualify as a citizen by the payment of poll tax, we appeal to you for a small donation, that we may enjoy the holidays like others. If you had the Texas Guide sent to five or ten of your colored friends it would assist us in making the paper strong and also assist us in circulating same.

"We are giving considerable space to the poll tax payment, and as the editor goes over the State and into negro homes, he advises the colored man to qualify by paying poll tax and we'll keep this up until February 1. We feel that we have a claim on your friendship, and we trust you'll not turn a deaf ear to our appeal.

"Thanking you for your generosity in the past, and trusting to hear from you by the time we reach Palestine." (L-311.)

1913.

B. H. Hayden, Liberty, Texas, to Mr. R. L. Autrey, Houston Ice and Brewing Company, January 11, 1913:

"Mr. N. Q. Henderson of Houston, a friend of mine, was here to see me today relative to the prohibition election soon to take place here, and possibly throughout the country.

"I have agreed to enter your service and give you the best I can render, if I suit you or you consider my services necessary to your success. I gladly recommend you to Hon. C. F. Stevens, Hon. F. M. Stevens and Hon. E. B. Pickett Jr. for testimonials of my fitness and capacity for the work among my race.

"By request of Mr. Henderson I write you." (H-656.)

To the last above R. L. Autrey, January 15, 1913, replied as follows:

"Replying to your letter of January 11th, which we note with interest. The first opportunity I have I will talk to the Hon. F. M. Stevens about you, but I can now say that a recommendation from N. Q. Henderson has enough weight with me, because I have much confidence in his ability to judge men and I know his integrity.

"What is necessary to do now is to promote the paying of poll taxes by the colored men. If they can be brought to realize that the holding of a poll tax receipt is the best asset they can possess to gain standing in the community in which they live it ought to be a convincing argument to stimulate them to qualify as voters.

"I am not sure that any local option election will be called, but if one should be called I will want your services in the cause.

"I thank you for having written me." (H-657.)

(Note—Hayden and Henderson mentioned in the two letters last above are negroes.)

Letter sent to all breweries and liquor dealers by "The Citizens' Forward Movement of Texas," Waco, Texas, December 12, 1913:

"As you are probably aware, the Citizens' Forward Movement is

one that is friendly to your cause in Texas, and we are working night and day for your interests.

"We desire that you furnish us immediately with the names of all social clubs in wet or dry territory that you have been supplying beer to for the past two years, whether in operation now or out of business (and please so note on the list), giving also, if your records show, the name of the secretary or steward of the club with the address.

"We also desire that you furnish us with the names of your wholesale dealers in Texas whom would likely distribute your products to such clubs.

"This information will assist us in this movement materially, and we desire the information by return mail, as the time is short between now and January 31st, the end of the poll tax period." (G-934, S-7627.)

Reply to the last above by Lone Star Brewing Company, December 15, 1913:

"We are in receipt of your favor of the 12th inst., and herewith enclose a list of customers to whom we sell bottled beer in this city.

"We did not make a list of the wholesale dealers in the country, not deeming it necessary.

"Hoping the enclosed list will be of service to you, we remain, dear sir." (L-610.)

Letter from Issie Friedlander, Waco, secretary of the Citizens' Forward Movement of Texas, to I. A. Stein, manager Galveston Brewing Company, December 30, 1913:

"Please do not overlook attending to the Chamber of Commerce poll tax matter and try and have them accept the challenge of Waco." (G-939.)

General letter from the Citizens' Forward Movement of Texas to all breweries and liquor dealers, December 30, 1913:

"At a meeting last Sunday it was agreed that the enclosed letter be gotten out by all the brewers and brewery managers in Texas on their letter heads to each of their wholesale dealers in Texas.

"It is very important that this letter be gotten out immediately and we hope that you will give it your prompt attention." (G-940.)

The circular referred to in the last above reads as follows:

**"THE CITIZENS' FORWARD MOVEMENT OF TEXAS**

I. Friedlander, Secretary.

"Waco, Texas, December 30, 1913.

"Dear Sir:

"We want to call your attention to the fact that 'POLL TAX PAYING TIME' is now here and that 1914 is 'ELECTION YEAR,' and it is highly important, if you expect to remain in business after 1914, that all of the ANTIS in your territory pay their POLL TAXES during the month of JANUARY.

"The matter of POLL TAXES must receive your undivided time and attention. You will do more good by trying to get an ANTI to pay his POLL TAX than you will by trying to sell a keg of beer. Have POLL TAX CARDS PRINTED, calling the VOTER'S attention to it, and place in every saloon, in the show windows and on the streets.

"You will receive letters from time to time from the CITIZENS' FORWARD MOVEMENT at Waco, I. Friedlander, secretary, asking you to do certain things and we request that whenever these letters are received that you act promptly on them and comply as far as possible with his requests. See your CUSTOMERS in the city and in the country and have them make POLL TAX PAYING their whole business during January." (A-3787, L-617.)

Letter from Lone Star Brewing Company to all its agents asking for information to be furnished the Citizens' Forward Movement, December 31, 1913:

"As the time for paying poll taxes is rapidly nearing its end, only four weeks being left, and as some very important elections come off during the year 1914, every citizen ought to provide himself with his poll tax receipt.

"We, therefore, wish that you give us the names of all the antis in your town and surrounding territory, especially the people living in the country. We want their individual names so they can be reached by mail, through a central committee which has taken charge of this matter.

"Hoping that you will give this your immediate attention, for which we thank you in advance." (L-618, 619, 620.)

General letter to all its agents, written December 31, 1913, by the San Antonio Brewing Association, requesting information for the "Citizens' Forward Movement":

"We have been requested by the ANTI-PROHIBITION CAMPAIGN COMMITTEE to write to all of our representatives asking that you kindly send us at once a list of all of the anti-prohibitionists in your town and residing in that vicinity. The object of having this list is to be in a position to mail them literature which will acquaint them with the grave danger of State-wide prohibition in the State, that they may take proper interest, not alone to pay their poll tax, but to see that their employes, friends and acquaintances who share their views do the same thing. The danger is very great, and very few people realize the situation, and unless special effort is made looking to the payment of their poll tax between now and the 31st of January, 1914, our State will certainly be doomed in less than two years from now.

"Make it a point to see and talk to all of your friends, and assure them it is essential, not for the purpose of helping the saloon men and breweries, but in their OWN behalf, for once the State is voted 'dry' every line of business without exception, also the farmers, will be affected. We earnestly urge upon you the necessity of doing every-



thing possible. Supply us with the list asked for at once, see that a proper organization is effected and perfected in your town and county for purpose previously set out.

"We are enclosing herewith circular which we propose to send to those whose names you supply, which will enable you to better understand the gravity of the situation confronting us, and we sincerely trust that you will use your utmost endeavors to carry out our suggestions and that without delay!" (S-7644.)

General letter, December 20, 1913, from the San Antonio Brewing Association to all its agents, notifying them to post posters to be sent by "Citizens' Forward Movement":

"You will receive by parcel post, prepaid, a package of posters to which we direct your especial attention.

"Kindly see that one of same is posted up in conspicuous place in each saloon, and at any other place where it is likely to attract attention. Distribute them to advantage with your outside trade as well.

"This is EXTREMELY important; there is no time to be lost, and our request should have IMMEDIATE attention; besides notice, if you can do some missionary work along lines indicated it goes without saying that we will appreciate the kind attention, as it cannot but redound to our mutual interests." (S-7640.)

1914.

General letter from American Brewing Association to all its agents, January 2, 1914:

"The Citizens' Forward Movement Association is working for the interest of the antis in Texas, and are now using every effort to see that all antis pay their poll taxes. You will no doubt receive communications from the secretary from time to time, and we kindly ask that you give his requests due consideration and prompt attention." (A-3791.)

General letter from Galveston Brewing Company, January 2, 1914, to all its agents:

"We call your attention to the fact that 'POLL TAX PAYING TIME' is now here and that 1914 is 'ELECTION YEAR,' and it is highly important, if you expect to remain in business after 1914, that all of the ANTIS in your territory pay their POLL TAXES during the month of JANUARY.

"The matter of POLL TAXES should have your undivided time and attention. You will do more good by trying to get an ANTI to pay his POLL TAX than you will by trying to sell a keg of beer. Have POLL TAX CARDS printed, calling the VOTER'S attention to it, and place in every saloon, in the show windows and on the streets.

"See all your ANTI friends in the city and in the country, and

urge upon them the IMPORTANCE of paying their POLL TAX during JANUARY." (G-941.)

General letter by the Citizens' Forward Movement of Texas, January 5, 1914, to all liquor dealers:

"You probably received a letter about two weeks ago calling your attention to the fact that the month of January is the last month of grace for the payment of poll taxes and asking you to furnish a list of names that could be corresponded with relative to this very important matter.

"Some of you very promptly responded while some have so far yet failed to send in their list of names. If you are one of the latter we want to urge upon you a compliance immediately with this request. Nothing that you can do is so important as is this.

"We want to urge upon you the utmost importance and necessity of your devoting all of your time this month in an effort to see that every anti-prohibitionist in your section qualified himself as a citizen before January 31st. It is unnecessary for us to go in the importance of this matter with you, the elections of the past having been close enough to impress this upon the mind of the most optimistic.

"Let us hear from you if you have any suggestions to make regarding the work in your territory." (G-942.)

General letter from the Citizens' Forward Movement of Texas, January 15, 1914, to each of names of antis submitted by liquor dealers:

"Nineteen fourteen is election year in Texas. All State officials, including Governor, are to be elected. Their election and subsequent re-election (for another term under Democratic custom) means that the policies they inaugurate will have full sway for four years. You cannot participate in any election during the year 1914 unless you PAY A POLL TAX between now nad the last day of this month.

"Are you interested? For years past every question of importance has been suppressed, and the people's time, money and energy have been expended in the attempted solution of one single question. The question of proper support for our educational institutions, penitentiaries, insane and blind asylums and such important matters as rural schools, rural credits, a cotton marketing system and other important vital questions have been disregarded because more 'capital' could be made of other legislation. The legislation on this question has not alone affected the licensed place of sale, but there has been attempts to prohibit family use of liquor, and attempts made to destroy the privileges of private clubs.

"The present laws regulating private clubs are stringent enough to protect the public and are satisfactory to the membership of the legitimate clubs. The clubs have so far defeated the movement to go further in this matter, but their work is not finished. We are enclosing herewith the history of one of the club laws, showing that but for the ruling of the Speaker of the House your club would have been face to face with a situation difficult to overcome.

"Will you be prepared with a poll tax to defend and preserve the institutions of which you are a member? Will you talk to your friends and have them arm themselves with the necessary requisite for voting? Suffrage is a sacred privilege. Citizenship carries with it great responsibilities. If you would want to see Texas go forward, Texas institutions prosper, less strife and bitterness, and more peace and general prosperity, be prepared with a poll tax to do YOUR duty." (G-945, 946.)

Letter from I. A. Stein, Galveston Brewing Company, to M. B. Davis Jr., an employe of the "Citizens' Forward Movement," January 12, 1914:

"Upon receipt of yours of the 8th, I took the matter up and was advised that the Eagles' Club had refused to furnish any one a list of the names of its members, the lodge holding that it was contrary to their regulations.

"The secretary advised, however, that a committee had been appointed to look after the matter of poll taxes, and that each member would be urged to pay his poll tax." (G-944.)

Letter from Galveston Brewing Company to E. H. Tomlinson, Stafford, Texas, January 9, 1914:

"We are in receipt of yours of the 8th inst., and note with pleasure that you are giving the matter of poll tax payments your careful attention, and we are sure your efforts will produce the proper results in your vicinity." (G-943.)

Letter from Lone Star Brewing Company to G. H. Fritsche, Giddings, January 5, 1914, relative to lists furnished "Citizens' Forward Movement":

"We are in receipt of your favor of the 3rd inst., with list enclosed of antis in your territory, and beg to thank you herewith for your prompt compliance with our request, and remain, dear sir." (LS-624.)

Letter from Lone Star Brewing Company to M. F. Schuler, Fowerton, Texas, relative to lists furnished "Citizens' Forward Movement":

"We are in receipt of your favor of the 3rd inst., and beg to thank you for the information contained therein. We also received the list of antis in your territory, and thank you for your prompt compliance with our request, and remain, dear sir." (LS-625.)

Same sort of letter from Lone Star Brewing Company to Henry Etlinger, Moulton, January 5, 1914:

"We beg to acknowledge receipt of the list of antis sent us by you, and wish to thank you for your prompt compliance with our request, and remain, dear sir." (L-626.)



Same sort of letter from Lone Star Brewing Company to V. F. Stephenson, Plantersville:

"We beg to acknowledge receipt of the list of antis which you sent us, and wish to thank you for the promptness with which you complied with our request, and remain, dear sir." (L-627.)

Letter from Lone Star Brewing Company to "Citizens' Forward Movement":

"Enclosed we beg to hand you lists of names of antis received from Flatonia and Kingsbury, respectively. Also letter from our wholesale dealer at LaGrange, which is self-explanatory." (L-628.)

Lone Star Brewing Company to F. F. Wotipka, Flatonia, January 6, 1914:

"We beg to acknowledge receipt of the list of names of antis, and wish to think you for the promptness with which you responded to our request." (L-629.)

Lone Star Brewing Company to Mr. Ferd Imhoff, Kingsbury, January 6, 1914:

"We are in receipt of your favor of the 5th inst., enclosing list of names of antis, and thank you for the promptness with which you responded to our request." (L-630.)

The "Citizens' Forward Movement of Texas" to Lone Star Brewing Company, San Antonio, 1-6-14:

"Yours of the 5th inst. at hand enclosing lists, for which accept our thanks. The writer expects to be in San Antonio Friday and will call on you in person." (The writer is I. Friedlander.) (L-631.)

Lone Star Brewing Company to Mr. I. Friedlander, Waco, 1-6-14:

"Enclosed we beg to hand you list of names of antis handed to us by our dealer at Marion, which we trust will be satisfactory, and remain, dear sir." (L-632.)

Lone Star Brewing Company to Mr. J. C. Houston, Floresville, 1-7-14:

"We beg to acknowledge receipt of the list of names sent us, and wish to thank you herewith for the promptness with which you responded to our request." (L-633.)

Lone Star Brewing Company to I. Friedlander, Waco, 1-7-14:

"We are today sending you under separate cover, by registered mail, list of names of antis received from our dealer at Floresville.

"We herewith enclose list of antis received from Cliff, Texas, all of which we trust will be satisfactory, and we beg to remain, dear sir." (L-634.)

Lone Star Brewing Company to Mr. A. Wolf, Rockdale:

"We beg to acknowledge receipt of your favor of the 2nd inst., enclosing list of antis in your territory, and wish to thank you for the promptness with which you complied with our request, and remain, dear sir." (L-638.)

Lone Star Brewing Company to Mr. I. Friedlander, Waco:

"We herewith enclose list of names of antis received from our dealer at Beeville, as well as letter from our dealer at Fayetteville, which is self-explanatory." (L-639.)

Lone Star Brewing Company to Mr. A. C. Marsden, Beeville, January 8, 1914:

"We beg to acknowledge receipt of list of names of antis sent us by you, and thank you for the promptness with which you responded to our request." (L-640.)

Lone Star Brewing Company to I. Friedlander, Waco:

"Enclosed we beg to hand you lists of names received from Shiner and Precinct No. 5, La Salle County." (L-641.)

Lone Star Brewing Company to Mr. E. S. Cottler, Rockport:

"We beg to acknowledge receipt of list of names of antis, and thank you for responding to our request so promptly." (L-642.)

Lone Star Brewing Company to I. Friedlander:

"Enclosed we beg to hand you lists of names of antis received from our dealer at Rockport, Aransas County, as well as Sanderson. We also enclose letter from Mr. W. D. Hunter, which is self-explanatory, and beg to remain, dear sir." (L-643.)

Lone Star Brewing Company to I. Friedlander:

"We herewith enclose list of names of antis received from our dealer at Laredo this morning, as well as letter from him, which is self-explanatory." (L-644.)

Lone Star Brewing Company to Mr. I. Friedlander:

"We herewith enclose list of names of antis received from our dealers at Dunlay and Rosanky, respectively.

"We also enclose letter from our dealer at Victoria, referring to book of voters in Victoria County, which book we are sending you under separate cover." (L-646.)

Lone Star Brewing Company to R. L. Autrey, Houston, 1-13-14:

"In reply to your favor of the 9th instant I beg to say that the saloon men have organized here, and from what I can learn they have a very successful organization, and there is no dissension between the

retail liquor dealers and retail malt dealers. The second meeting was held last night, was largely attended and everybody present came in the proper spirit in regard to organizing and paying poll taxes.

"The hotel men here have also gotten together, and will see that the waiters pay their poll taxes; the bartenders have a union, and a very strong one. The porters will also be made to take out their poll tax receipts. All saloon men have promised to get after the people from whom they buy their supplies, such as the grocer, butcher, soda water man, baker, cigar dealer, etc., and they do not anticipate any trouble in getting all these men to pay their poll taxes." (L-647.)

Lone Star Brewing Company to Mr. I. Friedlander:

"We herewith enclose list of names of antis from our dealer at Hallettsville, which we trust will be satisfactory, and we beg to remain, dear sir." (L-648.)

Lone Star Brewing Company to Mr. I. Friedlander, Waco:

"Enclosed we beg to hand you letter from our dealer at New Braunfels, which is self-explanatory. We are sending you the list referred to under separate cover, and trust that you will return it to Mr. Blumberg when it has served your purpose, for which we thank you in advance, and beg to remain, dear sir." L-649.)

George R. Whitley, San Benito, to the San Antonio Brewing Association, 1-7-14:

"I am enclosing herewith list that Mr. W. F. Buesing handed me to copy and send you to show the condition of the business men of our town. There is perhaps 100 or more Mexicans that have lived here always and who are qualified voters, that do not pay their poll tax, as well as some white men. All that is paid, however, by others Mr. Buesing has been paying, as the other saloon men do not aid.

"Should there have been a local option election last summer in San Benito it would have been very close, perhaps the precinct would have gone dry, as he could not pay them all.

"Kindly advise us as to what course to pursue in regards to lining up the tax proposition. We will do all possible, but wish some suggestion from you, as everything should be carefully organized and paid up before the first of February." (S-7649.)

Reply of the San Antonio Brewing Association to the last above, 1-10-14:

"I am just in receipt of your favor of the 7th inst., with submission of list, as advised, and I desire to thank you and Mr. Buesing sincerely for the kind interest manifested. I appreciate this.

"Noting your further remarks, beg to state that Mr. Frank Bushick of this city will call on you in the near future and discuss matter referred to." (S-7653.)



William Oster, Orange Grove, Texas, 1-8-14, to the San Antonio Brewing Association:

"Will you kindly send me by parcel post at once about twelve large cards reading, 'PAY YOUR POLL TAX.' I will on receipt post them at every store and business house so to call everybody's attention to the same, to get ready for the great battle that is coming this summer. We expect to have a local option election also, and that in addition to the State election, will make things interesting here. Just to get the German people to pay their poll tax is the main thing.

"We, understand, we have a dry town here yet, but want to vote same wet as soon as possible, and so send me those cards right away; cannot have them printed here." (S-7650.)

R. L. Autrey, Houston Ice and Brewing Company, to J. E. Weeden, Texas Brewing Company, 1-9-14:

"I have been very unsuccessful in getting the saloon men to organize. Antagonism and warfare broke out between the retail liquor dealers and the malt dealers from unguarded speeches made at the first meeting, and it has been impossible to get them together ever since. I have hit upon a plan that is better, perhaps, than any other to get the saloon men interested in poll tax payment, and have caused the Bartenders' Protective and Benevolent League and the Hotel and Restaurant Employes' International Alliance to pass resolutions making it obligatory upon the part of each to pay poll tax, and to require the employers to see that each employe, whether of the union or not, to pay their poll tax. If you could get similar resolutions passed by local unions it would be extremely valuable, and better than any other resolutions and pledges that you could get from the saloon trade. I send you herewith (actual circular attached hereto)." (TT-25.)

American Brewing Association to Mr. E. Fisher, Burton, Texas, 1-12-14:

"We are pleased to own receipt of yours of the 10th inst., and are indeed glad to note that you are giving the paying of poll taxes your attention. Our success at the coming primary election in July depends greatly on our friends having the necessary voting credentials. Therefore, it is our duty to see that none have neglected to do their duty." (A-3799.)

The Retail Liquor and Malt Dealers' Association to all breweries and liquor dealers:

"It is your duty to see that every man employed by you pays his poll tax before February 1st. See that they do this and please send us a complete list of every qualified voter in your employ. This is very important and should have your prompt attention.

"Consider for a moment what this means.

"It is estimated that the 4,800 saloon men in Texas together with their employes constitute a voting strength of at least 80,000. These

men will actually hold the balance of power in the coming elections.

"It is your duty to assist them in their choice of a candidate for each of the more important State offices." (S-7670.)

San Antonio Brewing Association to all employes, January 27th, 1915:

"A few words with you in the nature of a friendly suggestion. We refer to the advisability and importance of paying your POLL TAX.

"Aside from the duty which we owe our city and State, as good citizens, to do so, there is a further incentive. Matters of serious concern, politically speaking, may come up during the year for consideration and adjustment, and if you are not fortified with necessary poll tax receipt, we will be absolutely powerless to voice our sentiments in connection therewith.

"We urge you, therefore, if you have not already paid the tax, to delay no further. We make this appeal, our mutual interests considered, and will appreciate favorable action." (S-8141.)

A. Wolf, wholesale dealer in Lone Star Brewing Company's fine beers, Rockdale, Texas, 1-28-14, to the Lone Star Brewing Company:

"Last week Mr. Porter Stevens, our Tax Collector, and a strong anti, sent us a list showing that about 190 voters of our precinct (No. 4) have not paid their poll taxes. We hired then one of his deputies, Mr. E. Arledge, also a good anti, to work up the boys. He done a splendid piece of work. For instance, last Saturday he issued over thirty poll tax receipts, but, of course, we must pay him; he had to hire buggy and team besides other expenses. Mr. Fields, the representative of the Anheuser Brewing Company, donated \$15; I for my part gave \$5 and others in proportion, and it would be very much appreciated if you would help us a little. We do not ask for much, don't expect much, but every little helps." (L-655.)

## PART FOUR—LEGISLATION

The Constitution of the State of Texas vests in the Senate and the House of Representatives the LEGISLATIVE POWER.

The individuality of the members of these joint depositories of this power manifestly determine the fact as to whether or not the power is to be used for the interest of all the people of the State or for the special interest of certain classes of the people of the State, as against the general interest.

In the promotion of anti-prohibition matters in Texas (the declaration of purpose of the Texas Brewers' Association) the breweries discovered that if the legislative power were allowed to be exercised as the Constitution provides it interfered with the accomplishment of that purpose. In order to make the invisible government supreme over the technical and constitutional government it therefore became expedient for this special interest to concern itself with the selection and subsequent conduct of the members of the joint legislative bodies, and thus to take away from those bodies and to arrogate unto themselves the exercise of this power.

The activities of the invisible government in this branch of the service parallel the meanderings of the activities of the technical government. Commencing, as we remarked before, with the concern in the qualification, through poll tax receipts of the electors who were to be called upon to vote for or against candidates for legislative positions, thence to the use of money and influence to affect the election or defeat of these candidates; thence to fatherly care over the general welfare and daily life of such of these men as they could approach after election.

In a general way, therefore, the evidence upon the subject of LEGISLATION (independent of the evidence offered under the subject of poll taxes) will show an active and evident interest manifested through the use of money and influence in elections in Representative and Senatorial Districts throughout the State.

Article Three of the Constitution undertakes to give to the people of the various localities of the State the right of local self-government in the matter of the selection of those who are to represent them in the Legislature. It provides that the State shall be divided into Senatorial and Representative Districts and that in such districts Senators and Representatives shall be "chosen by qualified electors"—not by the non-resident breweries. The suffrage and other provisions of the Constitution disqualify any person, saying nothing of a brewery corporation, to vote outside of the counties of their residence. Again the Constitution provides that "the privilege of suffrage shall be protected by laws regulating elections and prohibiting under adequate penalties all undue influence therein from power, bribery, tumult or other improper practice."



In the view of the breweries—deduced from their conduct—the people, in writing the constitutional guarantees of local self-government in the matter of the selection of their Representatives and Senators, made a grave mistake; the mistake was in not delegating this power of selection to the breweries. Upon the assumption that the mistake had been made, and sequentially, that the people of the districts are not capable of exercising this power over their local affairs, the breweries, in “promoting anti-prohibition matters in Texas,” and ever diligent in operating the “invisible government,” proceeded to nullify the guarantees of the Constitution and to relieve the people of the various districts of the burden of selecting those who were to represent them. As illustrative of this, and of the extent and arrogance of the “government of, for and by the breweries,” we, here, call the Court’s attention to some general statements made in the language of this all-enveloping power:

“I note fully your remarks regarding the grand fizzle of the extra session of the Legislature. I trust that at this next session there will be more Representatives who are more liberally inclined; in fact, it will be our duty to see that only such men are elected.” (A-163.)

“I desire to say to you that one of the most important points to be considered at our next meeting is to get someone out after this Legislature work. It will perhaps not cost any more to put out two or three men later than it will to put one man out immediately, and I must impress upon you the fact that it is very important to have Mr. Turner with us, at our next meeting, for several reasons which are unnecessary to give here.” (S-656.)

“I presume we want all the men on our side at Austin that we can possibly get.” (S-776.)

“This organization must proceed near future to elect such men to office who we know will give us equal rights, and especial attention should be given to the election of the membership to our next Legislature. In this body we should have a certain percentage subject to our command who will fight for equal rights to all, special privileges to none at the drop of the hat.” (S-883).

“In the present Senate we have got a majority that will always stand for equal rights and fairness, and the same might be said of the House. We have very able and strong men there that are with us, at the same time they have other interest, both personally and in behalf of their constituents, that are so much nearer and closer that we cannot consistently expect them to drop everything in our behalf, and they cannot, in consequence, be commanded to the extent that we might wish.” (S-884.)

“We ought to commence at an early date as possible to prepare plans and means for the next election, that instead of wasting our time begging favors from the prohibitionists, who seem to now be

in power, that we shall elect such men to the Legislature that the favors ought to be begged of us." (A-855.)

"As the prohibitionists are making all kinds of moves against us, it will be absolutely necessary that we should have a meeting at a very early date to decide on some aggressive movements against them.

"Their plans to capture the next Legislature, if successful, would, no doubt, put us out of business. We ought, therefore, to lose no time, and adopt such plans as we may conclude to be to our best interest at such time and place as you can possibly arrange one to be had." (A-1010.)

"I take the liberty of addressing you a few lines on matters political, and will state that it is of the utmost importance to our mutual interests, as well as of interest to all the liberty-loving people of the great State of Texas, to see that nothing but good, conservative, liberal, fair-minded people are sent to represent us in the next Legislature."

"I am told that there are three (3) candidates for the Legislature from your district, one of whom, Mr. H. E. Wilson of Junction, is a rampant prohibitionist! Another is Sid Rees, brother-in-law of our late Representative, Mr. H. Nowlin, and he is unsafe; cannot be depended upon as far as our interests are concerned, and might serve the pros." (S-1336.)

"Your note received dated Kerrville. I have been absent all week, engaged in the matter you spoke of, and also looking after Brown and Coleman districts. Hon. William Joseph of Lampasas is running against Gray at my solicitation and I think will beat him. I have done some hard work and think we will be able to leave Gray at home. In any event, I have done all I could in this direction." (S-1388.)

"From the best information I have been able to gather, we have elected sixty-five (65) of our candidates to the next House of Representatives. We may gain two or three more. Besides this, there are five or six 'pro' candidates who were supported by our friends, and who promised to vote to equalize the local option laws." (S-1460.)

"\* \* \* shall leave nothing undone to have as many of our friends as possible represented at the convention." (S-1489.)

"The battle has been fought, and while the result is not yet definitely determined, I believe we have elected a small majority of our friends to the Legislature, but the matter is so close that I am unable to state definitely whether we have a majority or not. The difference will not be more than four or five votes either way." (S-1433.)

"\* \* \* it means that you and your friends must see that good men are elected to the Legislature and to Congress, men who will be fair to our industry; if you neglect to do this, you neglect your business." (TB-282.)

"\* \* \* in the interest of our business, as well as in the interest of large majority of the good people of this State, and especially in view of the fight that the prohibitionists are making on us, particularly on the breweries, we are compelled, if we can encompass the defeat of any one of their number, to do so." (S-2520.)

"It was unanimously agreed by every one present that the work the Brewers' Association has been doing must be carried on, and a determined effort made to influence the selection of the next Legislature, and to have its membership, as far as possible, favorable to us. It was agreed that we must have an opposing division of the State, somewhat similar to theirs, with men like Onion and others of our friends working for us, each in his own territory. This, of course, will cost a good deal of money." (TB-951.)

"Referring to matters political, beg to state that we have got to get good men to run for the Legislature this year more than ever in our history." (S-3855.)

"\* \* \* our future depends almost wholly on question of representation." (TT-52.)

"\* \* \* the State primary election will soon be at hand, nevertheless there seems to be a great deal for us to do in the remaining time. From my investigations I feel that the election of one-third of the next House by the antis is in very great doubt. Davidson's campaign is endangering our legislative ticket all over the State and particularly in this section." (S-6226.)

"I feel that it is very important to us to have Fowler elected to the Senate from the Anderson County district, and that everything possible should be done to that end. If we can elect him and a good man from Harper's district we ought to be able to prevent anything very radical." (S-6406.)

"Noting and appreciating your further remarks, beg to state that I entirely agree with you, and we must act vigorously and will do so to accomplish the aim desired. Thanking you sincerely for the suggestion, which was in line with my views on the subject, I beg to remain." (S-6414.)

Another grave mistake made by the people, and the Legislature, according to the view of the breweries and subject to the beneficence of their corrective hand, is that the Constitution and statutory law prescribe certain qualifications that must be possessed by Senators and Representatives. The breweries view this with ardent alarm; here the people, in the management of their local affairs, are given an instrument of potential injury to themselves. Oh! that the people had consulted the higher wisdom! Its precepts would have dictated, not "words full of sound and fury, signifying nothing," but, in that case, would have written the qualification indicated by the accumulated wisdom of the ages. The needed, the one requisite, qualification, com-



pared with which all others are as nothing would have been, not ability and desire to serve the public interests, but unswerving fealty to the "invisible government." The people, for the management of their own affairs, having made this grave mistake, the higher power set about to correct it.

The qualification demanded by the declaration of purposes of the invisible government is thus described in the testimony of one R. L. Autrey, secretary and treasurer of the Houston Ice and Brewing Company:

"We have no propaganda, it was only a question of prohibition and anti-prohibition straight out; no propaganda to propogate or disseminate. \* \* \* You were inquiring about a meeting held in our office when a list of the legislators was brought there. If I remember right we always relied on the Dallas News furnishing a most complete list of members of the Legislature, or persons offering for the Legislature.

"Q.—You don't mean to say that your propaganda did not carry with it a great deal more than obtaining list of candidates?

"A.—You didn't let me finish my answer.

"Q.—I beg your pardon, go ahead.

"A.—Now, I was going to say you can ascertain who is who when they are running, and who is anti-prohibition, and who is a prohibitionist, and if there is a possible way it can be done we offer to support the anti, regardless of who he is, we don't care what his name is or what he be. This question of his views is all. It is just a question of his views on prohibition." (Autrey's testimony, pages 231-232.)

It appears that amongst the people of some of the districts men could not be found with the necessary qualifications, and, in instances, the breweries set about to give a course of instruction along the proper lines. We here describe, in their language, the curriculum of a school of "qualification-instruction" set up in Upshur County in 1907 and 1908.

Professor O. Paget of the Texas Brewers' Association, October 19, 1907, thus reports progress up to that time:

"Now, as to Mr. Briggs—That man is a grafter. I have in my possession at this moment his receipt duly signed on the county letter-head, of which he is Judge, and duly signed as such, for \$500 given for his 'interest' in the last election. He was a pro at the election before the last. He earned the money, though, every cent of it, and if it had not been for the elemental disturbances which flooded the streams so that passing over them was impossible, we would have won by a good majority, but as it was, the voters could not get to the polls. After the election was over Mr. Briggs made another demand for \$500, which I looked upon as a 'hold-up.' I discussed the matter with Mr. Adoue and also investigated the expenses in the county, and other than the money paid him we paid many expenses, including speakers and a thousand and one other things. I considered that we had

paid out enough in the county, therefore did not let him have the other five hundred dollars. He may hold this against us in the pending contest and if he does not return again to his 'old love,' the prohibitionists, we would lose the county if we did not secure his 'interest.' Of course, he is in our hands, because should we use that 'matter in hand' against him it would place him in a very awkward position to say the least, and if he opposes us it will be in a secret and quiet manner. He is going to run for the Legislature or the Senate and he may ask our assistance. If he does, it would be policy for us to give it to him or again he may take the other side to obtain the votes." (D-622.)

The next course of lessons were given the student through the joint efforts of Professors O. Paget and S. T. Morgan, Dallas Brewery, as follows: A proposition to hold a local option election in Upshur County was up in 1907. About it, and about the "student," one John A. Pickens, Gilmer, wrote Professor Morgan, Dallas Brewery, October 20, 1907, thus:

"I am enclosing herewith an instrument of writing signed by parties who is directly interested on the anti side of prohibition election and who intends to engage in the whiskey and malt liquor business in case we carry. Please act on this matter at once.

"Their fees is \$2,000 cash and \$2,000 more if they win the fight, and we will pay one-half of each. We cannot hire them to take up the fight for less than this amount, but they will be worth more to us than all the other help in Texas, as they are a power here in this country and they are all the help we want if we can get them." (D-625.)

This information was communicated to Professor O. Paget of the Texas Brewers' Association, and to it he replied, October 24, 1907, in this wise:

"Now, as to the letter from Mr. Pickens and the other parties with him, they are grafters from 'a' to 'z.' Your letter to Mr. Pickens, copy of which you enclosed me, is exactly the kind I should have written him and should the election be ordered it would be well, I think, to turn Bro. Pickens and his gang over to me, and I beg to assure you that the T. B. A. will not spend a dollar with them. I can add nothing to the correspondence you have received except this; that if we can get Judge Briggs, who is at least intelligent, we can come very near finding out what is best to be done. \* \* \*" (D-631.)

Thereafter, November 5, 1907, Professor Paget thus reports progress:

"I made a trip up to Longview and met six members of the committee and they told me that they had raised \$2,000 and they wanted \$2,000 more. I got them down to fifteen hundred. With this money they can secure the services of Briggs—M. N. and Tom—also the County Judge, Mayberry. With these men to work we ought to win the county by five hundred. If they are on the side of the prohi-

bitionists they will win for the pros by even a larger majority. Do not for a moment forget that these men are grafters of the first order, but they have you where the boy had the monkey—by the tail—and can swing Mr. Simian just as he pleases. There is no patriotism about it—with them it is a cold-blooded proposition, and so they put it down—their pull is their asset. 'It's no money, no bird.'" (D-653.)

This seems to have completed the course of instruction, so far as the record shows; that graduation was had, and a diploma issued, is indicated by the following:

During the year of 1908 the breweries were carrying on an extensive campaign to secure "qualified" men to become candidates in the various Senatorial and Representative Districts. In the course of the campaign, on May 21, 1908, Professor S. T. Morgan of the Dallas Brewery, thus wrote to Hon. R. N. Stafford, an employe of the Texas Brewers Association, and himself a Senator:

"Mr. B. M. Briggs, an attorney of Gilmer, Texas, was in the city today and in conversation had with him I am of the opinion he could be prevailed on to run for the Legislature in his county. Do you think he could be elected?

"Mr. Briggs has always been a strong anti, and as Gilmer is in your territory I thought it advisable to advise you in the premises, and if you think the matter is of importance you could have Mr. Briggs come to see you, which, I believe, would be better than for you to go to Gilmer.

"Please understand that the above is only a suggestion on my part, and knowing that you are thoroughly familiar with conditions in Upshur County, I take the liberty of referring the matter to you." (D-750.)

And to the above, Stafford replied as follows:

"Yours received, for which accept my thanks. I have taken up the matter with him and think he will run. The other man who will run against him is with us, however, but I prefer Barney.

"Everything is looking good to us, but, of course, we must not be too sanguine, but keep at work." (D-757.)

Another way in which the breweries attempted to, and did, influence the course and result of legislation, was via the "lobby route," with branch lines to the well-known stations, "persuasion," "appeals to reason" and "influence." As indicative of what the evidence upon this phase of the case will show in detail, we give below, in the language of the breweries, and their employes, some general descriptions of the "work" as it ran through a series of years:

"I am in receipt of your kind favor of the 28th inst., contents of which have had my careful attention.

"In reply beg to state that our respective representatives who were entrusted by me to look after our interest at Austin during the session



of the present Legislature have been carefully watching House Bill No. 272 and express their hopes to kill it right in the committee room.

"We have also received the respective notice from our railroads here and have immediately put ourselves in communication with the different members of our association and notified all our customers along the line to immediately enter a protest against such a bill to their Representative at Austin.

"We have all the good help on the part of the railroads." (TB-59.)

"This gentleman was seen and his bill discussed with him. When our side of the question was explained to him he acknowledged that in introducing this bill he had not foreseen the consequence it would wrought, nor had he ever contemplated to bring around such action as he now sees his measure would bring forth if carried in its present form. He is a liberal-minded man and immediately postponed further action on his bill until next week, when we will again have a conference with him." (TB-61.)

"These two points have been diligently covered and looked after by my confidential parties at hand in Austin, but we certainly need all the influence in our behalf from all other directions." (A-68.)

"Your committee has to report that up to date all bills which carried with them certain provisions inimical to the interest of our business have been successfully killed with the exception of one bill which is now before the House, respectively the Henderson bill on uniform license, which will not come up for consideration in the committee until Tuesday, February 21st." (A-87.)

"It is just one of these bills where we have to master all our forces very quietly and call her up on a certain day and pass it without even letting it come to debate and, therefore, it is preferable not to make any amendments." (TB-73.)

"The good work has been going on and expense naturally incurred." (A-118, T-112.)

"We have a committee in Austin watching our interest, and we need the assistance of every Representative to come to our assistance." (A-161.)

"\* \* \* note that you will use every effort in trying to get some of the present obnoxious laws changed. \* \* \*" (A-279.)

"We will also endeavor to raise a fund to the extent of \$1,000 or more for the purpose of defraying the expense of securing a change by the present Legislature of the Sunday law to the closing hours between 9 a. m. and 4 p. m." (A-291.)

"We want to oppose the POLL TAX resolution." (S-395.)

"It will be an excellent thing if you can get your Legislature to modify the present local option law of Texas." (S-706.)

"The necessity of doing some work among the members of the Legislature, while at home, and get them committed to the unfairness of the present local option or prohibition law in Texas." (S-742.)

"\* \* \* it will impede our work in the Legislature." (S-734.)

"You will note that the call is for the executive committee only, and in this connection will state that it was thought best to not have Mr. Riggins, or any one else present for the reason that there is several matters, namely, legislative, and we can all discuss more fully what would be for the best if only the members of the executive committee are present." (S-755.)

"The object of the meeting would be for the purpose of outlining a plan of action whereby we can secure the co-operation not only of their members, as well as the legislative committee, whom they have already appointed to remain at Austin during the session of the coming Legislature.

"At that meeting we should also outline a policy and ascertain our needs for proper action at the coming meeting of the Legislature." (A-764, S-773.)

"Mr. Wahrmund is chairman of the legislative committee." (S-782.)

"Mr. Wahrmund has already gathered considerable data on the legislative work, and is in close touch with several of the most prominent and influential members of the Senate and House, and I am under the impression that he has also taken the matter up with some of the labor people, as this work has to be done very quietly and through people that cannot be approached in a financial way, I will wait until Mr. Wahrmund and yourself can consult together before calling the meeting." (S-782.)

"I think our committee should get together soon as possible, and at the meeting have Mr. Stafford and any other members of the Senate and House present that he might suggest.

"I also believe we should get our field man to work soon as possible, as he should have time to familiarize himself with the situation and to gather data from the counties that are now suffering from the injustice of the present local option law." (S-781.)

"I truly hope you will reconsider your intentions to resign as president of the TEXAS ASSOCIATION, as I feel that if you do so that our organization will be greatly weakened, and the legislative work that we have before us will not fare near as well in new hands; furthermore, we have always worked together nicely and harmoniously, and if some one else takes up your work, I would much prefer having some one else to take up the work that I have been looking after.

"So I earnestly request you to remain at the head of the organization, and especially do I think you should do this until after the legislative work is through with." (S-785.)

"When Mr. Koehler was here a few days ago I agreed that we

all pay three cents per barrel on our sales in Texas to defray expenses during this session of the Legislature. It is the intention to change this local option law so that both sides have the same rights and advantages. As it is now it is all in favor of the local optionists, and if we succeed in getting the law changed it will be very much to our advantage for the future. I wish that you would co-operate heartily in this movement, so we win." (TT-59.)

"I beg to own receipt of your recent favor and am pleased to note you have matters in good shape. I trust that nothing will occur to interrupt the progress of your work and that it will be a complete success, as we cannot afford to fail. I really feel that if we can have this law passed as we have it outlined it will stop most of these elections, and that we will have no further use for a paid organization consequently save future expense." (S-814.)

"The idea has occurred to us that this would be a good time to circulate some petitions in the principal towns of North Texas, asking the Legislature to change the law so as to make it fair alike to both sides, etc. We will, of course, not do so unless advised by you. We think, however, it would be no trouble to get this petition signed by the prominent citizens of almost every town in North Texas. If it is thought best to do so, you can send me a copy of such petition as you would want signed, and we will attend to having it circulated." (S-819.)

"From present indications I believe we have everything well in hand." (S-831.)

"I have not deemed the bill of sufficient interest to make a fight against it." (S-830.)

"To my mind this bill represents our only salvation, and I think we should leave no stone unturned to see it a law." (S-849.)

"In this connection I beg to state that the bill looking to the equalizing of the local option laws of this State is still pending, and if we are defeated, it will be on account of time, for the Legislature will adjourn on the 1st day of April, unexpected and one month sooner than ever before, but there will be a special session called immediately thereafter, and we are determined to keep the fight up to the very last moment! In order to do this and to get the bill up for consideration before the Legislature in special session we must get an official 'ex' in every county in the State under the leadership of our most influential business." (S-882.)

"\* \* \* this organization must proceed near future to elect such men to office who we know will give us equal rights, and especial attention should be given to the election of the membership of our next Legislature. In this body we should have a certain percentage subject to our command who will fight for equal rights to all, special privileges to none, at the drop of the hat." (S-883.)



"We ought to commence at an early date as possible to prepare plans and means for the next election, that instead of wasting our time begging favors from the prohibitionists, who seem to now be in power, that we shall elect such men to the Legislature that the favors ought to be begged of us." (A-855.)

"It is hard at present to ascertain our strength in the House, especially, but I have made and partly perfected combinations and consolidations and arrangements whereby I feel pretty safe as far as the passage of a uniform license bill is concerned." (S-1806.)

"\* \* \* we know, Max, that you are candid enough to admit that we are working on a very close margin, and in view of the enormous expense that we have been put to in fighting adverse legislation, prohibition, etc., we are compelled to save every dollar that we can in order to make both ends meet." (S-2012.)

"We defeated the beer inspection bill, also the bill recommended in a special message by the Governor, seeking to make violation of the local option law a felony." (DB-427.)

"Mr. Busch wishes me to thank you for your kind communication of the 13th inst. and to express his appreciation of the evidence of your good work and activity in the common cause, which concerns us all in the very highest degree. He read your letter to Mr. Adoue and remarked that it would be a bad thing if you, in the defense of our cause, had to fall from Point No. 1 gradually down to Point No. 4. Should it come to that end, then he would advise to open all the water mains leading into your beautiful Capitol and drown the rascals out like a lot of rats. The only available solution of the question in our favor seems to lie in the prevention of the election to the Texas Legislature of such men that incline to prohibition and in the forcible election of liberal members. It should be the watchword throughout the entire State." (S-3989.)

"\* \* \* we are forever and eternally trying to protect you, spending our time and good money in fighting adverse legislation, local option and prohibition, thus permitting you to continue in business.\* \* \*" (S-4345.)

"I had a long talk a few days ago with our friend Mr. Wortham, and he is somewhat blue over the outlook and disagrees with some of our friends who it would seem are in favor of having the next Legislature submit the amendment. I agree with him on this point and believe that we should contest every inch of the ground and if it is possible to defeat a submission of the question that we should do so. \* \* \*" (D-847.)

"\* \* \* the present Legislature is composed strongly of prohibitionists. It is hardly probable that we can expect anything but very drastic measures at their hands. We, however, have a sufficient number to prevent them from passing a State-wide prohibition elec-

tion, and that is about all that we can accomplish of this Legislature." (A-2565. )

"We beg to own the receipt of yours of the 6th, and in reply beg to state that while we were successful in defeating the prohibition measure at the Legislature the other day, however, the end has not been reached yet." (A-2575.)

"Over half million dollars have been spent during the past five years to fight vicious legislation and to resist local option elections; in fact, we can say that one million dollars has been spent for the protection of the brewing industry in Texas since 1900, or an average of over \$100,000 per annum!" (SS-110.)

The evidence in detail will follow according to date order. It is necessary, however, to a clear conception of the legislative work of the breweries to keep in mind, in a general way, the evidence offered upon the related subjects of "Poll Taxes," "Local Option," "Texas Brewers' Association—General," etc.

The following is excerpt from letter of 12-31-98, from Frank Arnold of Lone Star Brewing Company to the Texas Brewing Company:

"I will be pleased to receive Mr. Cetti's anonounced communication and intend to visit Austin in the interest of our cause the first week next month." (TB-54.)

Excerpt from letter of Frank Arnold, 1-30-99, Lone Star Brewing Company, to the Texas Brewing Company:

"I am in receipt of your kind favor of the 28th inst., contents of which have had my careful attention.

"In reply beg to state that our respective Representatives who were entrusted by me to look after our interest at Austin during the session of the present Legislature have been carefully watching House Bill No. 272 and express their hopes to kill it right in the committee room.

"We have also received the respective notice from our railroads here and have immediately put ourselves in communication with the different members of our association and notified all our customers along the line to immediately enter a protest against such a bill to their Representative at Austin. We do not know what benefit a petition with a list of signatures would be, and it would take too long a time to get same, besides there are various other industries interested in the same way we are about preventing the passage of such a bill, and these remonstrations from the different business men before the committee will surely have the desired effect in knocking the bill completely out.

"We are surprised to see so many measures brought in during this Legislature which are nothing more than prohibition movements, and from the character of the Legislature, as it is gradually develop-

ing itself, I think we will have enough to do watching our interest very sharply with the number of bills in anticipation which are aimed at the welfare of our respective industries.

"Kindly request all your customers and such friends of influence as you may have to work upon their respective Representatives to use their best influence in downing such bills as House Bill No. 272 right in the committee room. I am in close communication with them and will be in Austin by Wednesday.

"We have all the good help on the part of the railroads." (TB-59.)

Excerpts from letter, 1-31-99, of Frank Arnold, Lone Star Brewing Company, to the Texas Brewing Company:

"Your committee begs to inform you of the steps taken at Austin in regard to House Bill No. 272 and the bill introduced by Representative Perry referring to the matter of cold storage and the respective taxation of such places.

"The author of the first bill, respectively House Bill No. 272, is Mr. Dave Derden of Hillsboro, Hill County. This gentleman was seen and his bill discussed with him. When our side of the question was explained to him he acknowledged that in introducing this bill he had not foreseen the consequence it would wrought, nor had he ever contemplated to bring around such action as he now sees his measure would bring forth if carried in its present form. He is a liberal-minded man and immediately postponed further action on his bill until next week, when we will again have a conference with him.

"Thus, we believe we have successfully coped with this bill and will have no further difficulties to fear from this measure.

"Your committee feels easy about both of these bills now and from all indications and interviews with both of the authors of the respective bills we sincerely believe that nothing will be done to harm our interest or destroy the present conditions in which we now conduct our trade throughout the State." (TB-61.)

Excerpt from letter of Frank Arnold, 1-3-99, Lone Star Brewing Company, to the American Brewing Association:

"I beg to notify you that as the committee having affairs of importance to our industry during the coming Legislature in charge, I have received advice in Austin, where I was on a little business trip yesterday, that the Representative, Mr. Norman Kittrill of Harris County, and who comes from your city, has several bills up his sleeve which are likely to play an important part in the proceedings of the present Legislature.

"One of the bills will provide that the operation or renting of gambling houses for such purposes should be adjudged a felony. Another bill by which he proposes making a provocation of a violation of the Sunday law operates to revoke a license and to prevent a re-issuance of a license to said defendant or any one representing him.

"It is also believed that this gentleman will be appointed chairman on the Committee of Revenue and Taxation, in which position



his actions certainly need the closest watching on our part. I am assured that the respective committee will not be nominated before the next Governor can be communicated with and his wishes in this respect be consulted.

"I do not know Mr. Kittrill personally and have heard different opinions about the respective party. One claims that he is a liberal-minded man, whereas others state he is rather hard on people in our business and rather inclined to be quite severe with them, and favors laws to this effect.

"I notice that there is quite a feeling in Austin to shake up all our present revenue laws and that the breweries will come in for a little share. There are quite a number of Representatives who are inclined to believe that in comparison with the United States Government the revenue the State of Texas derives from our business is very small, and they favor actions whereby the State can derive a larger income from this source. Again there is a strong feeling in favor of a universal revenue law.

"These two points have been diligently covered and looked after by my confidential parties at hand in Austin, but we certainly need all the influence in our behalf from all other directions." (A-68.)

Excerpt from letter of Frank Arnold, Lone Star Brewing Company, 2-1-99, to H. Prince, American Brewing Association:

"It is a pleasure to see the way the different members of our association are assisting me in the way to look after the committee work at Austin, and the vigilance thus shown will help us to successfully cope with any measures aimed at our interests. Yesterday's circular letter will inform you how neatly we have met the railroad bill, respectively House Bill No. 272, and Mr. Perry's intended measure." (A-73.)

Excerpt from letter of Frank Arnold, Lone Star Brewing Company, 2-1-99, to the Texas Brewing Company:

"I am in receipt of both your favors of the 30th inst. and note contents carefully. Your letter will find our reply in a circular I have sent to all the members of our association covering the present statutes of House Bill No. 272, and Representative Perry's bill." (TB-63.)

Excerpts from letter of Frank Arnold, Lone Star Brewing Company, 2-14-99, to the American Brewing Association:

"By today's mail I forward you various reports of the vigilance committee at Austin and beg to be excused in this little delay, as the writer intended to hand the same to the respective members at the meeting which was set to be held in the City of San Antonio tomorrow, but postponed to some other date.

"The Henderson bill, of which we have sent you a copy, has been strongly backed up and most favorably considered by the prohibition element, who believe by raising the license to a large amount they

can drive out a large number of saloons and thereby virtually create prohibition in numerous localities in our State.

"They will not stay by one raise on the license, but their aim is to gradually increase the tax on selling liquor to such a high amount that it will close out all saloons in our State.

"It might be a good idea to call the whiskey men's attention to this move on the part of the prohibitionists and show them where they have created a great danger for all liquor business by bringing up a bill of this kind. It cannot be denied that the whiskey men are at the foundation of this, and the prohibitionists, seeing where the bill is benefiting their cause, are aiding them considerably." (A-85.)

Following letter from S. T. Morgan, Dallas Brewery, 12-11-99, to Texas Brewing Company:

"Please be advised that on account of the absence of Mr. Hamilton from the State and the inability of others to attend the meeting scheduled to be held in Houston on the 13th, that said meeting had been postponed until Wednesday, December 20th.

"The Legislature committee earnestly requests a full attendance, and I hope that you will find it convenient to honor the meeting with your presence." (TB-132.)

Following letter from Frank Arnold, Lone Star Brewing Company, 12-11-99, to the Texas Brewing Company:

"I beg to acknowledge receipt of your kind favor of the 9th, enclosing check for \$200, your subscription towards the vigilance fund, for which check please accept my thanks.

"Hoping to have the pleasure of meeting you at our meeting next Wednesday, I beg to remain with kind regards to all the gentlemen of your office." (TB-133.)

Excerpt from letter of S. T. Morgan, Dallas Brewery, 1-10-1900, to Texas Brewing Company:

"I am today in receipt of a letter from the chairman of the legislative committee in which he advises me that at a consultation of his committee on the 9th inst. it was deemed expedient to call a meeting of the association to be held in the City of San Antonio on Wednesday, the 17th inst. He states that there will be matters of great importance to be considered and earnestly requests that you be present." (TB-144.)

Following letter from H. Prince, 2-11-1900, American Brewing Association, to Mr. Adoue:

"There is a big fight waged against the brewing industry of the State by the present Legislature, not only by trying to increase the license on exclusive beer dealers, but the form of the bond that is proposed will make it very hard for over three-quarters of the dealers to be able to furnish, which, if carried, will necessarily diminish the number of dealers, which will, of course, decrease the sales. We have a committee in Austin watching our interest, and we need the assist-

ance of every Representative to come to our assistance. I would request that you take up the matter with the Representatives of your district with the view that they use their influence amongst the prohibition Representatives and prevent the passage of such laws as would work a detriment to the breweries of the State. With kind regards, I remain.

"Don't overlook Senator J. E. Linn, your new Representative."  
(A-161)

Excerpt from letter of H. Prince, American Brewing Association, 2-24-1900, to Frank Arnold, manager Lone Star Brewing Association:

"I note fully your remarks regarding the grand fizzle of the extra session of the Legislature. I trust that at this next session there will be more Representatives who are more liberally inclined; in fact, it will be our duty to see that only such men are elected." (A-163.)

Excerpt from letter "G. H." secretary Texas Brewing Company, 2-12-01, to Otto Wahrmond, San Antonio Brewing Association:

"Responding to your favor of the 11th inst., we beg to hand you enclosed, our local check No. 6460, \$239, and trust that your efforts to counteract the pernicious legislation proposed against our interests will be attended with eminent success." (S-152.)

Excerpt from letter of Wm. J. Lemp Brewing Company, Harry Vahlkamp, secretary, 2-15-01, to Otto Wahrmond, San Antonio Brewing Association:

"Herein we beg to hand you our check for \$25, our share of the assessment recently levied by the Texas Brewers' Association at its meeting in Fort Worth, for the purposes more fully stated in the resolution covering the assessment." (S-153.)

Excerpt from letter of H. Prince, American Brewing Association, 2-25-99, to Frank Arnold:

"In the matter of legislation that is in the hands of Mr. Wahrmond to endeavor to get the law changed appertaining to the present liquor bond question, it will be necessary for each and every one of us to use our best efforts and every means possible in getting the aid of our friends to act in our behalf.

"A member of the T. P. A. called on us recently, soliciting a subscription for the purpose of defraying the expenses in trying to secure legislation of better rates in the way of lower fares and baggage-carrying privileges.

"All of the breweries, I noticed, that he had called on for subscriptions had subscribed very liberally to the cause. We, therefore, take the liberty of calling your attention to the fact that as we have shown a friendly disposition to assist them that in all probability you might secure their aid in helping our case along.

"The fanatics and the 'Carrie Nationites' have about taken the town by storm, and unless we can get some relief by having some of



the present obnoxious laws changed or amended, we might have some very serious suits to fight in the very near future, as we will have our friends involved in the way of having their names on bonds which they signed for us, many of which have been in some manner violated. It will, therefore, become necessary that we should do everything possible towards obtaining some relief from the present Legislature." (A-275.)

Letter Frank Arnold to the American Brewing Association, Houston, 2-14-99:

"Your committee has to report that up to date all bills which carried with the certain provisions inimical to the interest of our business have been successfully killed with the exception of one bill which is now before the House, respectively the Henderson bill on uniform license, which will not come up for consideration in the committee until Tuesday, February 21st.

"We will have to take considerable care and bestow a great deal of attention on this bill. In case it is favorably reported from the committee room and introduced we will have to fight it on the floor. Your committee is at present at work preparing arguments and statistics to be produced before the respective Committee on Revenue and taxation and has been granted a hearing before the committee, February 21st, the respective committee only after hard work reluctantly granting this postponement in order to give our committee a chance to prepare its arguments.

"It may be that the respective bill will not come up for consideration seriously at present for the simple reason that a general occupation tax bill has been favorably reported back to the House, and while there is nothing in the face of it affecting breweries directly, there may be while considering it in the House some amendments tacked on taxing the breweries on their respective output.

"Our committee is posted that there is a bill already prepared to tax the breweries 50 cents on each barrel which may bob up at any time in connection with this bill creating the aforesaid commission, or separately. At any rate, the coming of these respective issues are to be awaited with more than passing interest.

"There are other bills which have already been taken care of, respectively the bill by Representative Thomas to amend the civil code relating to the sale of liquor on election days, and another cold storage bill introduced by Representative Bean.

"Other bills that might interest you are bill introduced by Representative Savage to amend the penal code relating to the sale of intoxicants in prohibition districts. Senators Stafford and Linn have both introduced bills in the Senate providing that in future saloons shall not be required to remain closed, save on general election days, the effect being to relieve these of the annoyance and pecuniary losses attendant upon closing their places of business on every special election day which rolls around during the course of a year.

"Your committee respectfully requests you to give your immediate attention when the Henderson bill and the tax commission bill come

up for debate to have all the respective Representatives you can bring any influence to bear to vote against such measures which are detrimental to our business." (A-87.)

Letter Frank Arnold to the American Brewing Association, 2-20-99:

"I have your kind letters of the 16th, etc., before me and beg to thank you for the kind assistance rendered us in the Austin matters. You surely have done remarkably well with Judge Kittrill and your actions will go a great way towards helping our cause, which will be brought to a climax tomorrow.

"I have been very busy at Austin the last four days and must leave again tonight to be on hand with our respective committee, as our battle is set for tomorrow. There are three bills before the House, respectively the Henderson and the Southerland bills, providing for a universal high license throughout the State, and the bill creating the respective tax committee, as dwelt upon in length in a previous letter of mine. The two first bills we believe we have pretty well managed and have the Revenue and Taxation Committee, before whom we have a hearing tomorrow afternoon, in such shape that we can favorably dispose of the bills right there. We have approached each and every member of the committee, with the exception of two, who we know it was dangerous to approach on the subject, and believe we have them all in shape, or at least favorably inclined towards our industries, so we will have nothing to fear from that direction.

"The bill creating the tax commission, which has given us the most worry, will come up in the House tomorrow morning. The ex-revenue agent, Mr. Colquitt, is strongly behind this bill, and having seen and sounded the different members of the Revenue Tax Committee in regard to their feeling towards the Henderson and Southerland bills, and fearing defeat there, has made his arrangement to gain his object when the Tax Committee bill comes up before the House tomorrow, and he and his supporters have provided to tack several amendments on this bill, one likely to be the creation of high license at all events, and another to tack on his pet measure of taxing every barrel of beer 50 cents before it is sold.

"We received this information confidentially this morning from officials and parties who are in the position to know what we can expect in the House when this bill comes up tomorrow, and it is going to tax all our energies to win this fight.

"Please bring all the influence you can bring to bear on your respective Representatives, etc., to favor our side of this question." (A-90.)

Excerpt from letter Lone Star Brewing Company, Frank Arnold, vice president and general manager, to American Brewing Association, 3-1-99:

"The writer desires to call your attention to the fact that up to date we have not received your first assessment to our vigilance fund to defray expenses in fighting detrimental measures to our interest at

the present Legislature. The writer spoke to Mr. Hacker over the phone last week and requested him to forward us the respective amount as soon as possible as our funds are about exhausted, and we have called for another assessment on all the different members today. Kindly comply with our request in this matter at the earliest possible moment and oblige." (A-93.)

Letter Lone Star Brewing Company, Frank Arnold, vice president and general manager, to the American Brewing Association, 3-8-99:

"We beg to acknowledge receipt of your kind favor of the 6th inst., enclosing check for \$200 on account of dues to defray expenses at Austin, etc., and in addition beg to call your attention to the fact that we had previously notified you that we had not received any remittance from you whatever towards our campaign fund and that we had already seen ourselves compelled to call upon the different members of our association for an additional assessment, in the same amount as the first called for.

"We are obliged to do this, as matters have dragged along in Austin so long now that the funds of our first assessment are entirely exhausted, and having a large amount of work on hand and still before us we were compelled to make this additional appeal, and also kindly request you to respond with the second call as early as possible, the same way the other members did. We have now been at work two months and you are well aware what it costs to handle matters of this kind, and even at this time a great deal of good has been done and that surely in view of what it cost us last time, we believe that you can coincide with us and our views that the respective committee had been working very economically." (A-98.)

Excerpt from letter Frank Arnold, Lone Star Brewing Company, to the American Brewing Association, 3-16-99:

"As per the call made by your committee about two weeks ago for an additional assessment to our vigilance fund to look after affairs at Austin, beg to state as to the last assessment you have not as yet responded, and as we have received the respective checks from all the other breweries you would greatly oblige us by sending us your second check, the same as the others have done, so that we can straighten up our obligations we have entered into and clear the board." (A-101.)

Pay one cent per barrel of 98. Sales less \$200 already remitted. P. N.
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Letter from Frank Arnold, Lone Star Brewing Company, to G. Hausmann, secretary Texas Brewing Company, 3-20-99:

"Will you please forward me your check for the additional assessment made to our vigilance fund covering the work done at Austin, etc. As notified you about two weeks ago your committee saw itself



compelled to ask for this further assessment, and to which we state with pleasure all the other breweries in the association have promptly responded, leaving only your assessment to complete the chain. We are quite anxious to close up all obligations we have entered into at Austin and clear the board, and in this respect we would be greatly obliged to you if you would give this matter your immediate attention.

"It is hardly probably that the Legislature will adjourn before at least thirty days yet, and it is just at the close of these respective sessions, when everybody is anxious to get away and in a hurry to wind up affairs, that the last proceedings need our most particular attention, and our respective opponents will always use these occasions to file inimical measures at the very end and during the rush of the closing days and these tactics will undoubtedly be employed at this Legislature also, where we have been heretofore most successful in downing all measures that were harmful to our business. As usual, you will be kept informed what is going on at the Capitol." (TB-71.)

Letter from Frank Arnold, Lone Star Brewing Company, to Texas Brewing Company, 3-23-99:

"I beg to acknowledge receipt of your kind favor of the 20th inst., enclosing check for \$200 to apply to our vigilance fund, for which please accept my thanks." (TB-72.)

Letter from Frank Arnold, Lone Star Brewing Company, to George Diehl, Texas Brewing Company, 4-4-99:

"I am in receipt of your kind communication of the 2nd inst., with enclosures, and have noted contents carefully.

"In reply I beg to state that our mutual friend, Cecil Smith, had already approached me on the same subject and also informed me that he had communicated with you in regard thereto. I have, some ten days ago, carefully gone over the entire matter with our people in the House and have also conferred with Cecil Smith again on the subject while in Austin yesterday.

"If we can get the bill through in its present shape I think we have gained a great deal and I certainly shall push it to the utmost. Our mutual friend, Cecil Smith, also recognizes that it will be a hard thing to pass the bill without those words, or respectively that part which he desires to have eliminated from the bill, and he readily saw the point where I am right after he had carefully gone over the matter again.

"The bill in its present form is probably all we can ask for, and if we get it we are far better off than we were heretofore. Mr. Smith also recognizes now that if he amends the bill the way he wants it to be amended, and have to refer it back to the Senate again in its amended form, it is going to create a rumpus and our enemies, who are ever on the alert to hit us with a club, will strain their utmost against this bill, therefore it is better to leave well enough alone and be satisfied if we can pass the bill in the form in which it has already passed the Senate and reported back from the House Committee to the House of Representatives very favorably.

"It is just one of these bills where we have to muster all our forces very quietly and call her upon a certain day and pass it without even letting it come to debate, and, therefore, it is preferable not to make any amendments. Mr. Cecil Smith agrees to this as also does your other Representative, Mr. Ayres, and we will have our force in shape to run her through Wednesday a week if nothing happens in the meantime that will throw other bills in our way. It is getting pretty late in the session now and we have no time to lose.

"Mr. Cecil Smith is all right and has at several times always shown his readiness to assist us in every way possible and he is virtually one of the leaders on the floor, who can do us a good deal of good. He explained to me that a number of his constituents up in his home had been bothered about a mysterious couple coming to Sherman; the woman passing notices around the different saloons not to let her husband have any drinks, and whereupon shortly afterwards the respective husband would call on the saloons, take a drink and depart, and when court proceedings were commenced it as a rule ended in a compromise between the respective parties concerned and the black-mailing parties.

"You see how dangerous this thing works with the saloonkeeper, or would with anybody else, if the name of Jones, for instance, is posted in a saloon and an utter stranger comes in, takes a drink and departs, and after he learns that this was the respective Jones whose wife afterwards is willing to settle with a \$50 bill, etc. This and a great many other schemes have been working very successfully of late in the northeastern part of the State, and thus it is that we are so very anxious to get this bill through, which will once for all put a stop to such proceedings, and the word knowingly inserted in the respective bill of Mr. Hangers will cover all these instances to a fine point.

"Mr. Cecil Smith understands all the points now and has been requested by Senator Hangers, I believe, to look after this bill in the House, and asked me to furnish him about eight or nine of the best recognized men in the present Legislature to assist him in calling up and putting this bill through. This we have done, and so far everything looks all right for our success in getting what we want." (TB-73.)

Letter from Frank Arnold, Lone Star Brewing Company, to the American Brewing Company, 7-29-99:

"At the last meeting of the Texas Brewers' Association, held at Galveston on the 19th inst., it was resolved to continue the work of your respective committee appointed to look after the Legislature at Austin, and the motion prevailed that each brewery belonging to the association be called upon again for another assessment in the same amount as previously remitted. You will confer a great favor on the writer by forwarding us your check for the respective amount at as early a date as possible, as matters are getting into shape now at Austin that it needs the most careful and diligent attention of your respective committee.

"P. S.—For your kind information the writer encloses to you copy

of the respective bills with which we had to contend during the last session and which we succeeded in turning to our advantage." (A-117.)

Letter from Frank Arnold, Lone Star Brewing Company, to the American Brewing Association, 8-14-99:

"Some time ago the writer called your attention to the resolution passed at our Galveston meeting that it was the desire of our organization to continue the work at Austin in regard to legislative and tax commission matters, etc., and that another assessment of one-half cent per barrel, as on previous occasion, was to be called for, the writer being assured that his appeal would be promptly attended to.

"I have made this request for another remittance and up to date have not heard from you. The good work has been going on and expense naturally incurred and it is very discouraging to the writer that a more prompt and hearty response to his request is not forthcoming and he, therefore, again appeals to you to send in your respective remittance without further delay or else he will see himself compelled to resign the charge of the work placed in his care.

"I can assure you that the work and responsibility is indeed large, and looking after that, in addition to my own duties, is no easy matter, and unless I have better encouragement and more prompt appreciation and response to my appeals I would prefer to let somebody else take care of the matter, and as far as I am concerned drop this work altogether." (A-118, T-112.)

See (TB-112.)

Excerpt from American Brewing Association, H. Prince, to Frank Arnold, Lone Star Brewing Company, 2-28-01:

"We are in receipt of yours of the 27th inst., and are pleased to note that you will use every effort in trying to get some of the present obnoxious laws changed, and trust that your undertaking will be crowned with success." (A-279.)

Excerpt from American Brewing Association, H. Prince, to Frank Arnold, Lone Star Brewing Company, 3-8-01:

"\* \* \* We will also endeavor to raise a fund to the extent of \$1,000 or more for the purpose of defraying the expense of securing a change by the present Legislature of the Sunday law to the closing hours between 9 a. m. and 4 p. m." (A-291.)

1902.

Excerpt from S. T. Morgan, Dallas Brewery, to Otto Wahrmond, San Antonio Brewing Association, 1-18-02:

"Complying with your request of the 16th inst., I enclose you herewith our check, No. 707, on National Exchange Bank of Dallas, for \$11, our pro rata of the amount paid John D. Pitts." (S-209.)

Excerpt from E. S. Clauss, Anheuser-Busch Brewing Association, to San Antonio Brewing Association, 1-21-02:



"Your favor of the 16th inst. at hand and we enclose our check, payable to your order, for \$11 to cover our pro rata of the expense of employing Mr. John D. Pitts." (S-210.)

Letter J. F. Onion, Slayden campaign chairman, to Otto Wahr-  
mund, San Antonio Brewing Association, 1-23-02:

"I have appointed you on the finance committee to raise funds for Mr. Slayden's campaign, along with Messrs. W. C. Robards and J. W. Kokernot. I know that you are a busy man, but at the same time, some of Mr. Slayden's friends must do this work, and I feel that under the circumstances you will make the sacrifice. Please confer with Mr. Robards and Mr. Kokernot concerning the matter, and take up the work at once. The friends of Harris are circulating the story that the breweries are trying to control the campaign for Congress and that both Mr. Slayden and myself are tools of the breweries. These reports come to me from many sources and shows the character of the campaign being waged.

"It is possible that Harris may be forced out of the campaign in the next few days, as plans are on foot to that end, but if not I fear we are going to have a bitter fight. Trusting to have your hearty co-operation in the matter, I remain." (S-211.)

(See S-215, S-253.)

Letter Max Eppstein, Texas Brewers' Association, to Otto Wahr-  
mund, San Antonio Brewing Association, June 18, 1902:

"Herewith New York exchange, Seaboard National, \$350, to cover expense incurred by you, payment of which was authorized at our meeting. (Cr. legislation account.) June 20, 1902."

Excerpt from J. W. Riggins, Mayor of Waco, to Otto Wahr-  
mund, San Antonio Brewing Association, 7-13-02:

"\* \* \* We want to oppose the POLL TAX resolution." (S-395.)

Letter J. W. Riggins, Mayor of Waco, to Otto Wahr-  
mund, San Antonio Brewing Association, 10-7-02:

"I desire to say to you that one of the most important points to be considered at our next meeting is to get someone out after this Legislature work. It will perhaps not cost any more to put out two or three men later than it will to put one man out immediately, and I must impress upon you the fact that it is very important, so have Mr. Turner with us at our next meeting for several reasons which are unnecessary to give here.

"One object of the contemplated meeting was to have Mr. Turner here, and if you will excuse me I will insist that it be done. I expect to receive a telegram from Mr. Turner today or tomorrow, advising definitely when he can be here, and besides both Messrs. Eppstein and Morgan of Dallas, say they cannot meet until after the 12th, because of the Dallas Fair; that they cannot leave there until that has been concluded." (S-656.)

(See S-680.)

Letter Charles Schreiner, Kerrville, to Otto Wahrmond, San Antonio Brewing Association, 10-29-02:

"Knowing that you are greatly interested in the prohibition question, would call your kind attention to the legislative canvass of Charles Montague of Bandera and H. W. Nowlin of Center Point. Mr. Montague is the Democratic nominee of this, the Ninety-eighth District, and Mr. Nowlin, who is a Republican, is running as an independent candidate. Through the prohibition election held some six months ago in Bandera County, Charles Montague, who was bitterly opposed and voted against prohibition, and by taking an active part in taking out an injunction against the prohibitionists afterwards, incurred their bitter enmity, and the prohibitionists in Bandera County and elsewhere in the district are doing all they can to defeat Montague.

"At the late Confederate reunion of the old Confederate soldiers at Medina City, Nowlin told S. H. Goodman and J. T. Akin, who are both prohibitionists, that he, Nowlin, voted for prohibition at the Center Point election; that he was opposed to a State prohibition election now because he thought that the prohibitionists were and had adopted the proper course in carrying county by county for prohibition. I know Goodman personally, he is a first-class citizen and a truthful man. I do not know J. T. Akin.

"You have lots of friends and business relations throughout our district, which is composed of Kendall, Kerr, Bandera, Kimball and Edwards Counties, and I believe it would be to your interest to give your valuable support to Montague, who is an out and out anti. You can change quite a lot of votes by writing a few letters to your friends throughout our district." (S-695.)

Excerpt from letter of Cyrus C. Turner, with the Protective Bureau of the National Wholesale Liquor Dealers' Association, New York, 11-10-02, to Otto Wahrmond:

"It will be an excellent thing if you can get your Legislature to modify the present local option law of Texas." (S-706.)  
(See S-727.)

Letter J. W. Riggins, Mayor Waco, to Otto Wahrmond, San Antonio Brewing Association, 11-24-02:

"I hand you herewith copy of a letter received today from our friend Mr. S. M. Nixon of Luling, Texas. Mr. Nixon is a member of the Democratic Executive Committee of Texas, and when in Austin last I met he and Judge Wells and went over this matter carefully, and I am sorry the impression obtains among the members of the committee of business men that we undertook to father or foster the Republican cause in Texas.

"I wish you would take the matter up with Judge Wells, if such is the case, as it will impede our work in the Legislature. Kindly give this your prompt attention, replying as early as possible, and oblige." (S-734.)

(See S-742.)

Excerpt from letter of S. T. Morgan, Dallas Brewery, to Otto Wahrmond, San Antonio Brewing Association, 12-8-02.

"Enclosed find call for meeting of the executive committee in Fort Worth, Texas, next Sunday. You will note that the call is for the executive committee only, and in this connection will state that it was thought best to not have Mr. Riggins or any one else present for the reason that there is several matters, namely, legislative, and we can all discuss more fully what would be for the best if only the members of the executive committee are present." (S-755.)

(See S-765.)

Excerpt from letter H. Prince, American Brewing Association, to S. T. Morgan, Dallas Brewery, 12-27-02:

"The object of the meeting would be for the purpose of outlining a plan of action whereby we can secure the co-operation not only of their members as well as the legislative committee whom they have already appointed to remain at Austin during the session of the coming Legislature.

"At that meeting we should also outline a policy and ascertain our needs for proper action at the coming meeting of the Legislature." (A-764, S-773.)

(See S-773.)

Letter G. H. Luedde, Aug. A. Busch & Co., to Otto Wahrmond, San Antonio Brewing Association, 12-28-02:

"We have a friend in Falls County, living at Lott, by the name of J. R. Southwell, who is running for Sergeant at Arms of the Legislature. He has a very good prospect of being elected, having about forty-seven members already promised to him, besides having a number of others very favorable to him. He is strictly our kind of people and I am confident would do everything possible to favor us. I presume we want all the men on our side at Austin that we can possibly get. He says he has not been able to get any promise out of the two members from Fayette County. They are Germans, and I told him in all probability you would be in close touch with them, and be able to help him. The names of the parties are Max Meitzen (Fayetteville) and F. A. Schlick (Gonzales).

"He says he understands the Houston and Galveston people are figuring on bringing out a candidate in the southern part of the State. What do you know about it? If you are not committed, I hope you will throw your influence to Mr. Southwell, because, as stated, I have known the gentleman for years past and I know he is all O. K. and strictly a friend of our kind of people. He has the solid support of all the politicians in this immediate vicinity and this part of the State." (S-776.)

(See S-781.)

Letter S. T. Morgan, Dallas Brewery, to H. Prince, American Brewing Association, 12-31-02:



"I have your favor of the 27th inst., and in reply thereto will state that Mr. Wahrmund is chairman of the legislative committee, and I am writing him by this mail, enclosing your letter, and have asked him to write you, and also to advise me concerning the calling of a meeting. I do this for the reason that Mr. Wahrmund has already gathered considerable data on the legislative work, and is in close touch with several of the most prominent and influential members of the Senate and House, and I am under the impression that he has also taken the matter up with some of the labor people, as this work has to be done very quietly and through people that cannot be approached in a financial way. I will wait until Mr. Wahrmund and yourself can consult together before calling the meeting." (S-782.)

(See S-785, S-797.)

1903.

Excerpt from letter Adolphus Busch, Anheuser-Busch Brewing Company, to Zane Cetti, Texas Brewing Company, 1-17-03:

"When Mr. Koehler was here a few days ago I agreed that we all pay three cents per barrel on our sales in Texas to defray expenses during this session of the Legislature. It is the intention to change this local option law so that both sides have the same rights and advantages. As it is now, it is all in favor of the local optionists, and if we succeed in getting the law changed, it will be very much to our advantage for the future. I wish that you would co-operate heartily in this movement, so we win." (TT-59.)

Letter F. Raube, Giddings, Texas, to Otto Wahrmund, San Antonio Brewing Association, 1-19-03:

"Complying with your request for a letter of introduction to our Representative at Austin I beg to enclose same, trusting wording to meet your approval. Fact is that I interviewed Dr. Johnson as soon as he came out as a candidate, on the liquor question. After he declared his stand, I received letters from friends (official) of Washington County requesting him to make a public declaration to me, before witnesses, on this question, which he did. Furthermore, his father came to see me, and stated that he did not understand why I was in any way uneasy about this, that I had known him for thirty years and that he had ever been on the right side and his son would always be the same. This shows that Mr. J. is obligated to be one of us." (S-804.)

Telegram Adolphus Busch, St. Louis, Mo., to Zane Cetti, Texas Brewing Company, 1-23-03:

"Do not underestimate prohibition movement and danger of the poll tax law. Have a vigilant eye and do the necessary regardless of expenses. We will pay our full pro rata and so all must act quick." (TT-59.)

Excerpt letter Max Eppstein, E. Eppstein & Co., liquor dealers,

Dallas, to Otto Wahrmond, San Antonio Brewing Association, 1-23-03:

"I beg to own receipt of your recent favor and am pleased to note you have matters in good shape. I trust that nothing will occur to interrupt the progress of your work and that it will be a complete success, as we cannot afford to fail. I really feel that if we can have this law passed as we have it outlined it will stop most of these elections, and that we will have no further use for a paid organization, consequently save future expense.

"I called Mr. Paget in and told him that we would discontinue all work for the next two months, and also cautioned him to express no views in regard to our matters.

"From the tenor of your letter I inferred that you could get along very well without the assistance of Fitzgerald on the press and I therefore today told him that for the present we would not require his services. It suited him very well to remain here, as we have a local campaign on in Dallas County and he will possibly take part in it.

"You can, therefore, handle the press as you see fit. It might be best not to use the columns of the papers with our paid matter, but to so handle that department of the work from Austin so that all matters will simply go in as news items. The correspondents of the papers with whom we have contracts would no doubt, if properly handled, give us all the space we want, as our matter will be matter of interest to the public, and our arguments unanswerable. In any event, so that there may be no conflict, I will do absolutely nothing without your instructions, and should you at any time conclude you want the services of Fitzgerald, we can get it on short notice.

"We are going to have a lively campaign in this county, and hope to win strong enough to make an impression on the balance of the State and also upon the Legislature." (S-814.)

Excerpt from letter Max Eppstein, liquor dealer, Dallas, to Otto Wahrmond, San Antonio Brewing Association, 1-29-03:

"The idea has occurred to us that this would be a good time to circulate some petitions in the principal towns of North Texas, asking the Legislature to change the law so as to make it fair alike to both sides, etc. We will, of course, not do so unless advised by you. We think, however, it would be no trouble to get this petition signed by the prominent citizens of almost every town in North Texas. If it is thought best to do so, you can send us a copy of such petition as you would want signed, and we will attend to having it circulated." (S-819.)

Excerpt from letter H. Prince, American Brewing Association, to Otto Wahrmond, San Antonio Brewing Association, 2-2-03:

"Regarding the legislative matters, in talking to Mr. Hoskins, one of our Representatives from this district, he is very liberal-minded in all matters appertaining to the requirements of his constituents and would consider it a great pleasure on your visit to Austin to form his acquaintance, as well as that of Mr. George B. Griggs, also Representative, whom you will also find very liberal-minded.

"We understood last night that Representative Fagan of this district has espoused the cause of the prohibition party. Although not being posted as to that, it will be a matter of necessity for yourself as well as your committee to look into the matter.

"There are two bills introduced that I think ought to be killed in the committee room if possible, and that is the one appertaining to giving 30 days' notice before license is issued and applying to the Commissioners' Courts, and the other being that when a charge of gambling is sustained against any one that the landlord or owner of the building can be considered equally guilty.

"We consider the first bill mentioned very detrimental to our interest directly and the other we consider will be an opening for any leasee who considers that he has a bad lease to open up a gambling house or game of any kind in order to make his lease canceled or can use such threats against the landlord that will force a compromise or relinquishing the lease that he may hold on the place.

"We doubt there will be so many measures brought out at this session of Legislature, and knowing that you are taking a wide interest and watching the course that each bill that is offered pursues, I trust that you will not overlook these two that I consider strikes us so close to home." (S-824.)

Letter O. R. Morrison, House of Representatives, Austin, to Col. Otto Wahrmund, San Antonio Brewing Association, 2-3-03:

"As requested by you in your favor of the 31st ult., I herewith enclose you House Bills No. 204, No. 217 and No. 241.

"I also enclose extracts from House Bill No. 300 by Miller. I only copy that portion of the Miller bill which affects your interest. The Miller bill is a long one and I only had that portion of it copied which I thought would be of interest to you.

"I also enclose copies of the above bills to Mr. Max Eppstein of Dallas, as directed by you.

"I have nothing further to communicate to you today.

"Awaiting your further favors, I am, Very truly,

"O. R. MORRISON." (S-827.)

Letter O. R. Morrison, Austin, to Mr. Otto Wahrmund, San Antonio Brewing Association, 2-4-03:

"I enclose you House Bills Nos. 314 and 321. The Committee on State Affairs considered Napirns Bill No. 241 of which you have a copy today, and reported it back to the House with recommendation that it do not pass, which kills the bill.

"The Committee on Revenue and Taxation will consider the uniform tax bills next Wednesday. From present indications I believe we have everything well in hand." (S-831.)

Letter O. R. Morrison, Austin, to Col. Otto Wahrmund, San Antonio Brewing Association, 2-4-03:

"You will note House Bill No. 63 enclosed herewith. It is the only bill that has had a favorable report from the committee that in any



way would affect the liquor interest. I have not deemed the bill of sufficient interest to make a fight against it. It occurs to me the bill should be amended by adding the word 'knowingly' after the word 'shall' in line 10, section 1, of the bill. However, I subject the bill to you for consideration. There has been no bills introduced today of interest to us." (S-830.)

(See S-834, S-836.)

Letter O. R. Morrison, Austin, to Col. Otto Wahrmund, San Antonio Brewing Association, 2-13-03:

"I learn today through a member of the House that Mr. Mulkey of Hunt County will probably introduce the 50-cent tax bill Monday. I have been unable to see Mr. Mulkey, but will endeavor to do so before he introduces the bill." S-837.)

Letter from G. H. Luedde, agent Aug. A. Busch & Co., Waco, to Otto Wahrmund, San Antonio Brewing Association, 2-26-03:

"Enclosed find statement for money I advanced Mr. O. L. Stribling account of expenses to Austin. I requested Mr. Stribling this morning to report to you what he had done, and an account of the moneys he had used. As our auditor will be here in a few days, I wish you would be kind enough to O. K. this order and forward it to Mr. Eppstein or Mr. Morgan with instructions to send us exchange for the same. Kindly give this your early attention.

"Hope you will be successful in pushing your bill through the House at an early date. If there is anything further we can do, command us." (S-838.)

(See S-839.)

Letter August A. Busch & Co., per G. H. Luedde, Waco, to Otto Wahrmund, San Antonio Brewing Association, 2-20-03:

"Your letter of the 19th with enclosure at hand for \$125, for which accept thanks. I notice the confidential part of your letter and would state that we advanced Mr. Stribling money to go to Austin. Upon his return he notified me that his expenses were entirely out of proportion from what he expected they would be when he left here and that he would have to call on me for another \$100. I left it to Mr. Stribling. I believe he did what was best for our interests and if he used this money I know nothing about it. We have always found him very straight in his dealings with us and I believe he was honest and fair in this transaction and I hope the work he done will be of benefit to us." (S-844.)

Excerpt letter Max Eppstein, liquor dealer, Dallas, to Otto Wahrmund, San Antonio Brewing Association, 2-20-03:

"In compliance with your recent request our Grayson County friends have been using their best efforts to get Judge Jim Woods, Representative from Sherman, to support the Willacy bill. You understand, of course, that Woods is a pronounced 'pro,' but I have always

considered him a fair-minded man and thnik he should not oppose this bill, even though he may not support it. J. O. Nicholson of Laredo is a son-in-law of Judge Woods and I understand has great influence with him. Nicholson, I understand, is an anti. Ike Standifer of Grayson also has influence with Woods and these two gentlemen should be able to get him in line. I consider Judge Woods of unapproachable character, but he has good sense, and, therefore, should be reached by these two gentlemen, as he will receive letter from his constituents in Grayson County asking him to support the bill.

"I regret to note the amendments that are being made to the bill, as the amendments offered will practically annul the effect we desire the bill to have; namely, to stop this endless chain of elections. Mr. Morgan is writing you about this today. To permit an election to be held in ANY SUDIVISION of a county after a county election has been held will subject us to the same endless chain of elections that we are now suffering from. These subsequent elections should be confined to a territory not greater than one precinct. The pros well understand this and I think are working to nullify the effects of our bill." (S-846.)

Letter Sam Levy of the Casey-Swasey Co., wholesale liquor dealers, Fort Worth, to Otto Wahrmund, 2-22-03:

"I am in receipt of your letter of the 21st, and thank you very much for your prompt attention. I have kept thoroughly posted as to the passage of our bill through the Senate, but I have been feeling a little shaky as to its fate in the House, and I notice that your letter fully confirms my convictions. I still have hopes, however, that you being behind it, we will get it through, even though it be by but a scratch. To my mind this bill represents our only salvation, and I think we should leave no stone unturned to see it a law. The suggestion also presents itself to me that we should see Mr. Boyd, the chairman of Judiciary No. 1, and endeavor to have a larger appropriation made for the refund of unexpired liquor dealers' license. We ourselves have various license that have been in our hands, some of them as long as four years, that have never been paid, and with the vast amount of counties now going dry, there is a large number of these documents laying in the hands of the various jobbers and something certainly ought to be done looking for a remedy to it. I respectfully commend this matter to your earnest consideration.

"With my very kindest regards and looking forward to further news from you at any time that you have any to send, I remain." (S-849.)

Letter Sam Levy, Fort Worth, to Otto Wahrmund, San Antonio Brewing Association, 2-24-03:

"I am just in receipt of yours of the 23rd, and glad to hear from you. I trust you may find use for the party I wrote you about, as he is one of the best friends we have in the cause, and perhaps possesses influence with some of the people at Austin that we could

not otherwise reach. As soon as you decide on the matter will be glad to hear from you." (S-850.)

Letter S. T. Morgan, Dallas Brewery, to Otto Wahrmund, San Antonio Brewing Association, 2-25-03:

"I am sending you by this mail, under separate cover, copy of the petitions and explanatory letter that we are sending out today to our friends in North and Central Texas. We are also writing a good many personal letters, asking our friends to see that the petitions are largely signed by the best citizens of the county, and that same be forwarded to Austin, and that at once.

"With the assistance of Mr. Stevens, our local wholesale liquor houses and the Waco and Fort Worth people, we believe we have the territory pretty well covered, and the petitions should in the next few days go into Austin at a lively rate, and should prove effective.

"I am also sending you under separate cover and addressed care Salge Hotel, Austin, Texas, several more copies of the testimonials sent you yesterday. If you need any more copies of this data let me know and same will be promptly sent you.

"I enclose herewith copy of a petition and circular letter received from Austin by one of our saloon men, and my object in sending it to you is to ascertain if this work is being done by your committee." (S-852.)

(See S-854.)

The following is a letter from F. P. Luck, Shiner, Texas, to the San Antonio Brewing Association, 2-26-03:

"This is to advise you that I circulated the petition to Hon. E. Tarkington and Thomas J. Ponton, at Austin, in regard to equalizing local option law, and obtained 66 signers to same. Forwarded same to Austin 25th inst. Mr. Christ. Wagner received some 40 to the petition which he had charge of, which was the same as mine." (S-854.)

The following is a letter from M. Andrews of Corpus Christi to the San Antonio Brewing Association, 2-26-03:

"Your letter received this morning. One day late, as the post mark at San Antonio was February 24 at 6 o'clock. But I at once had the petition made and signed by all the merchants, lawyers and officers and citizens I could and sent it straight through to W. F. Timon, Representative at Austin, by this mail. Because it was too late to send it to you and so I just sent it on to Austin." (S-855.)

The following is a letter from Sam Levy to Otto Wahrmund, San Antonio Brewing Association, 3-1-03:

"I am in receipt of yours of the 28th, and glad to hear from you. I am pleased to hear that you have secured the services of Mr. Pendleton, as I consider him a good man for the work.

"I also wish to thank you for your explanation in regard to the appropriation for refund on unexpired liquor license.



"Kindly keep me posted as to anything that goes on, which I will appreciate." (S-858.)  
(See S-860, S-861.)

The following letter was written by R. L. Autrey, Houston Ice and Brewing Company, to Mr. Otto Wahrmond, San Antonio Brewing Association, 3-10-03:

"I enclose petition signed by many prominent citizens of Huntsville, Phelps and other points in Walker County, the signatures of whom were obtained by our traveling salesman, Mr. J. M. Gerson. Among the signatures you will find that of:

"J. M. Smithers, County Judge.

"C. H. Robinson, superintendent mechanical department penitentiary.

"Capt. J. J. Smithers, one of the officials of the penitentiary.

"J. G. Ashford, a very reputable merchant in Huntsville.

"L. C. Eastham, the same.

"W. Y. Barr, agent of the I. & G. N. Railroad at Huntsville, and a number other prominent men of the county." (S-865.)

(See S-867.)

The following is a letter written by H. Prince, American Brewing Association, to G. W. Lockwood, Nacogdoches, 3-16-03:

"From reports that we have from Austin, it is reported that your Representative is classed amongst the doubtful members in favoring the 'Willesy' bill. This bill is one that is introduced for the purpose of giving the antis the same privileges that the prohibitionists are now enjoying.

"It is very necessary that we should break into the ranks of the prohibitionists by at least getting the bill passed, from which we will enjoy the same advantages that they do.

"We desire that you see the most influential citizens in the town and have them wire your Representative in order to obtain his friendship and aid in the passage of the bill, which is to come up the middle of this week, and therefore it will be necessary to use the wires for the purpose. Any expense incurred in this matter you may charge to our account." (A-829.)

The following is a letter from H. Prince, the American Brewing Association, to Mr. Jos. Riviere, Liberty, 3-16-03:

"I had made several efforts to get you by phone today, but being unable to do so, and therefore address you by letter on the subject regarding the stand of the Hon. W. D. Pickett, your Representative to the Legislature at Austin.

"It is reported that he is not in favor of the present local option bill that is before the Legislature, which we are endeavoring to get a law passed that will equalize the present prohibition law—that is, that it will give the antis the same rights and privileges as the prohibitionists are now enjoying.

"As the bill will come up for consideration about the middle of the week, we would recommend that you use the wires in communicating your wishes in the matter to Mr. Pickett and if necessary get one or two of your most influential citizens to sign the message with you, and charge the expense incurred to our account." (A-830.)  
(See S-881.)

The following is an excerpt from a letter from Otto Wahrmond, San Antonio Brewing Association, to Mr. Adolphus Busch, St. Louis, Mo., 3-29-03:

"In this connection I beg to state that the bill looking to the equalizing of the local option laws of this State is still pending, and if we are defeated it will be on account of time, for the Legislature will adjourn on the last day of April, unexpected and one month sooner than ever before, but there will be a special session called immediately thereafter, and we are determined to keep the fight up to the very last moment. In order to do this and to get the bill up for consideration before the Legislature in special session we must get an official 'ex' in every county in the State under the leadership of our most influential business. The politicians will follow men of the State, an organization which will be recognized at once of the great power, a great many men with political aspirations in and out of office are now only afraid of the pros' lobby because they are organized. This organization must proceed in the near future to elect such men to office who we know will give us equal rights, and especial attention should be given to the election of the membership of our next Legislature. In this body we should have a certain percentage subject to our command who will fight for equal rights to all, special privileges to none, at the drop of the hat. The larger cities should elect rep. men at once \* \* \* and if all the good people directly and indirectly interested will do their share financially and otherwise, great good will follow.

"In the present Senate we have got a majority that will always stand for equal rights and fairness, and the same might be said of the House. We have very able and strong men there that are with us, at the same time they have other interest, both personally and in behalf of their constituents, that are so much nearer and closer that they cannot, in consequence, be commanded to the extent that we might wish.

"Mr. Koehler has been called away on urgent business to New York, but it is his intention to see you personally on his return, at which time he will have pleasure in telling you all about the condition of affairs as they exist at present. Will be glad to hear from you." (S-882-84.)

(See S-885, S-886.)

The following is a letter from H. Prince to Otto Wahrmond, 4-3-03:

"I am in receipt of yours of the 2d inst. with enclosures as stated, for which accept my thanks. It is indeed good to know who our friends

are, as an occasion might offer itself where we might be in a position to reciprocate the favors that they have endeavored to show us, and at the same time we ought to remember our enemies.

"We ought to commence at as early date as possible to prepare plans and means for the next election, that instead of wasting our time begging favors from the prohibitionists, who seem to now be in power, that we shall elect such men to the Legislature that the favors ought to be begged of us.

"All we have is at stake, and we ought not to leave it to the tender mercies of fanatical cranks. We, therefore, must do something whereby our property will be properly protected by just laws, and hope that you will find many followers who will join in advocating the same principles." (A-855.)

Excerpt from letter from S. T. Morgan to Otto Wahrmond, San Antonio, 4-4-03:

"I have your favor of the 3d inst., enclosing copy of Mr. Onion's speech, and I hope that you will say to Mr. Onion that I certainly appreciate his effort in our behalf, and if ever I can serve him in any way, political or otherwise, that I will do so with great pleasure. We should bear in mind such friends as Mr. Onion, and should not let an opportunity pass to reciprocate, and I for one from now on propose to remember such good friends, keeping in mind at the same time the names of enemies.

"The measure we asked for was only just and right, and under the laws of the country we had a right not only to expect, but demand, relief. Failing in this, we have just grounds to fear for the future of our business unless we get close together and commence work at a much earlier date than we have heretofore.

"I note what you say about the bills that remain unpaid, and in this connection will state that I understand from Mr. Murphy that we were due the party \$500. We have very little money on hand, just about enough to pay up our bills, and where any more is coming from I cannot at this time say unless the brewers put up, as I can't believe the liquor men will make any further contribution." (S-588.)

The following is a letter from the board of trustees, Texas Brewing Company, written by G. Hausmann, to Otto Wahrmond, San Antonio Brewing Association, 4-4-05:

"We have your favor of the 2d inst., and thank you very much for the copy of the House Journal, and calling our attention to page 1247, from which we see with pleasure and regret both that if all our absent friends had been present only one vote was needed to give us the desired two-thirds majority for the suspension of the rules, which we consider favorable results under the heavy antagonism which the Willacy bill was confronted with in the beginning. We, therefore, tender you our thanks for your zealous efforts in the good cause.

"We note that you will be kind enough to send us a copy of the bill referred to in our former letter, i. e., the amendment to the local option law, and awaiting same, we remain, Yours very truly,

"BOARD OF TRUSTEES, TEXAS BREWING CO.

"By G. Hausmann.



"P. S.—It is the opinion of the writer that this obnoxious amendment to the pernicious local option law should be circulated among all our friends in all the dry counties, towns and precincts, so that the people will be fairly warned against the dangers of the measure." (S-892.)

Excerpt from letter from Wm. J. Lemp Brewing Co., St. Louis, U. S. A., to Otto Wahrmund, vice president San Antonio Brewing Association, written by Henry Vahlkamp, 4-6-03:

"I am indebted to you for your kind letter of the 2d inst. and the transmission of its enclosures.

"It is a source of regret to me to learn that the Willacy bill will likely not be acted upon during the special session of the Texas Legislature.

"The situation in Texas, owing to the unfair local option law, has become, indeed, very serious within the past two years, and I can assure you that the Wm. J. Lemp Brewing Co. is fully aware of the dangers which threaten the legitimate beer trade and that it is ever ready to co-operate with you and others for the purpose of defending our common rights.

"We had occasion a few days ago to peruse a lengthy letter of yours addressed to Mr. Busch, suggesting certain methods whereby to combat the common enemy. In responding to the comments of Mr. Busch on the situation, we declared our willingness to join you, the Texas brewers and the business community of Texas generally for the purpose of accomplishing the desired ends." (S-894.)

Excerpt from letter O. R. Morrison, from Beaumont, to Otto Wahrmund, 4-9-03:

"Had we have passed the Willacy bill we would have completed the work of the session in a very satisfactory way, as I see it. My opinion is if the Willacy bill had been referred to you at the start before it was even introduced, we would have had quite a different result.

"Referring to our account, will say I was in attendance on the Legislature eleven weeks, and received from you \$295." (S-896.)

Letter from S. T. Morgan, Dallas Brewery, to Otto Wahrmund, 4-13-03:

"Have you any good news to report relative to the extra session? From what I have been able to gather in this neck of the woods I am of the opinion that our friend will not entertain the proposition that will be of benefit to our cause, as he is a politician, and like the balance of his kind, has his ear to the ground, and politically is afraid of his shadow. I notice from the papers that there is considerable talk relative to calling a constitutional convention, especially at this time. There is danger in such a convention, especially at this time, and while we might get the Constitution changed, eliminating county elections, still on the other hand, 'we might get it in the neck good

and strong'; that is, there is considerable talk in this section of having the Constitution amended giving the Legislature the power to prohibit drinking on the premises on which sales are made, and subdividing incorporated cities, thereby knocking out the suburban, or family saloon. This, as you know, would be a hard blow to our business, and taking everything into consideration, and in view of the fact that the prohibitionists have all of our politicians scared, and the further fact that a constitutional convention would cost us a great deal of money regardless of results, I truly hope that such a convention will not be called at this session, and if I understand you correctly when in Austin, you stated that you were of the same opinion." (S-902.)

The following is a letter from Walter Gresham, lawyer, Galveston, to Otto Wahrmond, 8-29-03:

"I understood you to say when you were last in this city that you would prepare and send me a list of the members of the last Legislature, showing the postoffice address of each and as far as possible your knowledge of their view upon the question of prohibition. I would also like for you, if you can, to send in addition to the above, how many and which of the members of the last House desire to return to the next Legislature.

"Hoping you will give this information at your earliest convenience, I am, Yours truly." (S-999.)

(See S-1054, S-1061, S-1081, S-1103.)

The following is an excerpt from a letter from H. Prince, American Brewing Association, to S. T. Morgan, Dallas, 12-14-03:

"We have yours of the 1st and note your remarks to having the attorneys of each brewery to give their written opinion on the constitutionality of the election law.

"As the prohibitionists are making all kinds of moves against us, it will be absolutely necessary that we should have a meeting at a very early date to decide on some aggressive movements against them.

"Their plans to capture the next Legislature if successful would no doubt put us out of business. We ought, therefore, to lose no time, and adopt such plans as we may conclude to be to our best interest at such time and place as you can possibly arrange one to be had." (A-1010.)

Excerpt from letter from S. T. Morgan, Dallas Brewery, to Otto Wahrmond, 12-4-03:

"I have your favor of the 3d inst., also letter of Mr. Koehler enclosing opinion of your attorneys on the constitutionality of the general election law. If it is agreeable I will hold the opinion of your attorneys until the meeting at Galveston, and will hand same to you then. Our attorney is at work on the law, and he tells me that he will have his written opinion ready by Monday, in which case I will bring it with me to the meeting.

"I am writing all of the members of the committee requesting them to be present at the meeting at Galveston on next Tuesday, the 8th inst., and I expect, with the possible exception of Mr. Cetti, that we will have a full attendance.

"Concerning our Greenville friends, will state that I am just in receipt of a letter from Mr. Gresham in which he seems to approve of my plans. I will see one of the parties tomorrow, and will be in a position to advise at the meeting just what can be done, and what amount will be necessary to accomplish the desired results.

"Enclosed find copy of our attorney concerning the Sinclair case passed on a few days ago by the Court of Criminal Appeals." (S-1125.)

The following is a letter from Mr. S. T. Morgan, Dallas Brewery, to Mr. B. Adoue, Galveston, 12-22-03:

"Enclosed find letter from Mr. H. J. Morgan of Greenville. Mr. Morgan is one of the gentlemen we have been negotiating with for some time, and about whom I wrote you and Col. Gresham. He is a partner of Judge Sherrell, with whom Col. Gresham is well acquainted, and I think they have had some talk on the subject.

"If I remember correctly I was authorized at the last meeting to make contract with Mr. Morgan and Judge Sherrell, but stated that I preferred to have Col. Gresham and Mr. Hill consult over the matter first, and as I have not been advised relative to what was done in this connection at the meeting here I wish you would have a talk with Col. Gresham and wire me as soon as possible.

"I have called to see Mr. Hill several times, but there being others present, I could not discuss the matter with him, and he is out of the city today, and as Mr. Morgan and Judge Sherrell, who I have put off from time to time, especially since receiving the enclosed letter, are anxious for an answer, I would like to know what you think about accepting their proposition. I am strongly in favor of accepting their offer, believing they are in a position to do more practical work than any two men in the State. The Judge and Col. Gresham know he is in a position to consult and council with the other side, and while Mr. Morgan can work in such a way as will not stir up too much opposition, consequently the combination, in my judgment, is a most excellent one and one from which we can get good results.

"As you know I cannot be too free with Mr. Hill concerning these men, as I think it would be unwise to let it be known that we are paying them the price they ask, but I feel that they can give value received.

"As to payments, I would suggest that same be made as follows: \$500 January 1st, 1904; \$400 February 15th, 1904; \$400 March 15th, 1904; \$400 April 15th, 1904; \$400 May 15th, 1904; \$400 June 15th, 1904, and \$500 July 15th, 1904. This will mature the last payment a few days after the primaries in July, 1904.

"As you know I have been holding these people off for a good long time, and I think it is due both them and myself that the matter be closed in one way or another without further delay, so I ask that you advise me in the premises by wire." (DB-1.)



The following is a letter from S. T. Morgan, Dallas Brewery, to Mr. J. H. Morgan, Greenville, 12-22-03:

"Mr. Hill was in town this morning and I was up to see him, but was unfortunate in not finding him at his office. He was called to Waxahachie this evening, but will return tomorrow, and I will make every effort to see him.

"I know it is unpleasant to have this matter remaining open so long, but you will understand I have several people to consult with before closing, and I hope you will not think I am trying to push the matter off, for I am more anxious than you are to get the matter closed up, and I ask as personal favor that you give me a few days longer. I am doing everything that can possibly be done under the circumstances, but as above stated, when one has several people to consult it takes time to reach them all. So do not get impatient, for I am satisfied we can without a doubt get together in a few days." (DB-2.)

Dallas Brewery to J. H. Morgan, Greenville, 12-23-03:

"Referring to our conversation over the phone, will now state that I accept the \$3,000 proposition of yourself and Judge Sherrell, and ask that I be allowed to make the payments as follows: \$500 January 1st, 1904; \$400 February 15th, 1904; \$400 March 15th, 1904; \$400 April 15th, 1904; \$400 May 15th, 1904; \$400 June 15th, 1904, and \$500 July 15th, 1904. I will send exchange to you for the above amounts on the dates mentioned, and this will do away with the handling of private checks.

"If this is agreeable to you let me know and I will advise Mr. Hill to call on you whenever it is necessary.

"I will say nothing to Mr. Hill about the arrangements between us, and would suggest that you also treat the matter confidential.

"In addition to the above I will pay traveling expenses of yourself and Judge Sherrell, and this amount will be included in the payment on the 15th of each month; that is to say, on the first of February you send me an itemized account of your January expenses and I will include same in remittance of February 15th. Expenses for other months you can treat in the same way." (DB-4.)

Dallas Brewery to Mr. Walter Gresham, Galveston, 12-24-03:

"Your favor of the 23rd inst. to hand and contents noted. Upon receipt of your telegram yesterday I got in communication with the Greenville people, and arranged the matter as outlined in my letter to Mr. Adoue.

"I will stop at the Oriental Hotel on my way to the office Monday morning, and will wait for you in the lobby.

"Referring again to the Greenville people, I ask if you would like to have one or both of them to meet you in Dallas on Monday, the 28th inst. If so, please advise me and I will communicate your wishes to them." (DB-6.)

1904.

J. F. Onion, San Antonio, to Otto Wahrmund, San Antonio Brewing Association, 1-2-04:

"Roger Byrne of Smithville is, I am informed, for Rankin for Chaplain. Byrne is a saloon man, and I certainly cannot understand why he should be for Rankin, whom we want to defeat of all men in Texas, as his sole purpose is to get elected and lobby for prohibition. We are making a hard fight on him, and I think have splendid prospects to defeat him.

"I scarcely think Byrne understands the situation. Can't you bring some pressure to bear on him some way and let him know what the situation is, as I cannot believe that he will support Rankin after he understands the situation." (S-1147.)

Excerpt from letter of Dallas Brewery to J. H. Morgan, Greenville, 1-4-04:

"I think special attention should be given to Grayson County, as you know the condition now existing in that county, and owing to the further fact that they have three Representatives who should be good strong men, favoring a change in the law giving to incorporated towns the right to decide the local option question as they think best." (D-16.)

Letter from S. T. Morgan of the Dallas Brewery to J. H. Morgan, Greenville, 1-6-04:

"Enclosed find partial list of the anti chairmen of the various county local option elections. Some of the men I know to be all right and those that I know little or nothing about I have placed opposite their names a question mark, and it might be well that you make inquiries concerning these gentlemen before approaching them on the subject.

"I also enclose you a copy of Texas data. The data will give you some interesting facts on the prohibition question, also the names of a good many men I believe it would be well for you to consult with, as they would certainly not sign the statements as set out in the data if they were not convinced that prohibition is a failure.

"We have the original copies of the data which can be procured should it ever become necessary." (D-21.)

Dallas Brewery to W. B. Worsham, Henrietta, 1-19-04:

"This will introduce to you Mr. J. H. Morgan of Greenville, Texas, who is looking after a matter in which you are interested financially as well as otherwise.

"Mr. Morgan will explain and I ask that you give him what assistance you can." (D-30.)

Letter from Dallas Brewery to J. H. Morgan, Greenville, 1-19-04, in which the above was enclosed:

"Enclosed find letter of introduction to Mr. W. B. Worsham of Henrietta. Also letter of introduction from E. W. Morten Jr., to Mr. Jesse Shain of McKinney, Texas." (D-31.)

Letter addressed to W. B. Worsham, Henrietta, by Dallas Brewery, 1-19-04:

"This will introduce to you Judge J. S. Sherrell of Greenville, Texas, who is looking after a matter in which you are interested financially as well as otherwise.

"Judge Sherrell will explain and I ask that you give him what assistance you can." (D-32.)

F. C. Weinert of Seguin wrote Col. Otto Wahrmond, San Antonio Brewing Association, 2-4-04, as follows:

"Yours of date was received and in reply beg to advise you that I am willing to return to the Legislature provided it can be done without too great a struggle. I advised our friend Senator Faust to this effect and told him that I would delight in assisting in passing a fair local option law, as I consider the present one unjust and contrary to my ideas of right. I told him further that while I knew that this county was anti that I feared that especially our friends were ignorant of the dangers that threatened them. When we consider that Senator Faust without opposition and myself with opposition only polled five votes each at Schertz and that the Senator hardly received a majority at Fromme's while our attitude in public and private life is well known to these people that there must be something radically wrong with them. Their party affiliation must be dearer to them than their sacred rights. The young man who opposed me had never voted in this county, but had recently moved here from Waco. His uncle, General Safford, as you may remember, published an article in the Seguin papers some years ago denouncing all Germans as cowards, drunkards, etc., and claimed that they did not join the Union army on account of loyalty, but for money and whiskey. But yet these same Germans vote for the nephew of this man because some few negroes were paid to nominate him on their ticket. You well know that this is sufficient for a man even of less feeling than myself to feel very bad about. The pros as a rule always supported me, yet they never were in doubt as to my standing on the question of prohibition. They petitioned me during the last session of the Legislature to oppose the Willacy bill and I frankly answered them that the Constitution gave the people the right of settling the question of local option by ballot and that I thought that it was our duty as lawmakers to give both sides an equal show. Owing to these conditions I must principally depend on the antis for re-election and on you, knowing your ability and influence, for your assistance in presenting the true situation. I will see you shortly and for now remain, etc." (S-1182.)

Dallas Brewery to J. H. Morgan, Greenville, 2-15-04:

"Enclosed find New York exchange for \$478.95 covering expense account of yourself and the Judge for the month of January and for the payment of \$400 due you to date." (D-64.)

Excerpt from letter of Dallas Brewery to B. Adoue, Galveston, 2-19-04:

"I sent the Greenville parties on February 15th their second payment of \$400, together with the amount they paid out for traveling



expenses, amount \$78.95, itemized account of which you will find enclosed. I have had no reply to my letter enclosing exchange covering the \$478.95 and I suppose both of the gentlemen are out on the road." (D-1182.)

Letter from Dallas Brewery to B. Adoue, 2-24-04:

"Your favor of the 20th inst. to hand and contents noted. I will do everything that I can and will get all the work out of our men that is possible, but Mr. Hill must keep behind all the workers and have a check on what they are doing, and this will urge him to do so, and believe that if he will push up the outside people and work in harmony with the Greenville people that we will get good results. I note the article in the Labor Journal, and believe the medium will prove a good one for general distribution among the laboring people. I have received letter from Mr. Paget on the subject and intimated that he thought it a good idea to have the same thing appear in the labor journals of Dallas and Fort Worth, but if the cost is going to be very much I would not recommend the outlay, as the article has been pretty well advertised through the North Texas papers, and I am inclined to the belief that the circulation of the Dallas and Fort Worth labor journals are mostly local, and especailly has the article been well advertised in the two above mentioned cities.

"If you can get the News to publish the article written by Mr. Morgan, that is, say quote same under the head of State Press, it will be a grand piece of work, especially if the Dallas News will do it." (S-80.)

J. H. Morgan, Greenville, received from the Dallas Brewery, 3-15-04, the following:

"Enclosed find New York exchange for \$429.10, covering expense account of yourself and Judge Sherrell and the payment of \$400 that is due today. Please acknowledge receipt.

"I received a letter this morning from Col. Gresham, in which he says he has been unable to get any reports from any of the members of the committee in North Texas. As yourself and the Judge have been over this territory, and in my opinion are better posted on the proposition than any two men in the State, I will appreciate it very much if you will write me fully giving me your views on the work that has been done, the condition of the counties and what the outlook seems to be. You will understand I do not want a detailed statement of every county, but would like to have a summary of what has been done in North Texas, and the chances of success.

"Any particular county that you wish to refer to particularly you could do so, as Mr. Gresham might be able to help you out." (D-100.)

Excerpt from letter of Dallas Brewery to Hon. Walter Gresham, Washington, D. C., 3-15-04:

"Your favor of the 10th inst. to hand and contents carefully noted. I think the work in North Texas is progressing fairly well, but Mr.

Hill has a like complaint to make of the members of the committee, who, it seems, does not report as promptly as they should.

"Mr. Morgan and Judge Sherrell of Greenville have covered most all of the North Texas territory, and met very nearly all of the committeemen, and they say that the neglect in the reporting is owing to the fact that the work is being done looking to the getting out of as many prohibition candidates as possible; keeping in view all the time some good man who is favorable to our interest and who will enter the race later on.

"I have had several talks both with Mr. Morgan and Judge Sherrell and I meet Mr. Hill every few days, and from statements they make I believe prospects are very encouraging.

"I am writing Mr. Morgan by this mail asking him to give me review of the work done by Judge Sherrell and himself, also any information they have pertaining to any particular county. Soon as I have Mr. Morgan's reply I will forward same to you." (D-101.)

Excerpt from another letter written to Gresham by the Dallas Brewery, 3-18-04:

"Referring to my letter to you of the 15th inst., I now enclose you herewith brief statement from our Greenville friends.

"I think they have the situation pretty well sized up, and if they are given the proper support and are furnished with the necessary information by Mr. Hill, I believe they will get good results. Their county has been the hub for several years around which the prohibition question has been a live issue, and I believe they have a very clear idea of the class of work that should be done, and as above stated, if given the proper support they will get good results." (D-105.)

On 3-18-04 the Dallas Brewery again wrote Gresham:

"Since writing you this morning I had the pleasure of meeting our Greenville friend, and the Judge asked me to call your particular attention to the condition of the Senatorial District composed of Fannin and Lamar Counties. He is of the opinion that you can assist them in getting out a good, strong man in Lamar County, and if this can be done he believes we can win out, especially if the three prohibitionists in Fannin County remain in the race.

"After looking into this matter I suggest that you write either Judge Sherrell or J. H. Morgan of Greenville.

"Mr. Hill has been quite ill for some time, but is getting better, and I think by the time the excitement pertaining to the city elections are over that he will be in good health and in shape to push the work until the primaries in July.

"Judge Sherrell is very much encouraged, and says that if Mr. Hill and Mr. Morgan are given the proper support by the district chairman that we will win." (D-106.)

Letter from Walter Gresham, Washington, to Col. Otto Wahr-mund, San Antonio Brewing Association, 3-27-04:

"I am trying to keep posted upon the political situation in Texas and have heard from most of the members of the committee. The political situation, if the interests of our friends does not make them too sanguine, upon the whole, looks rather favorable. I wrote to Mr. Onion in your district for information, but have heard nothing from him. I would be pleased if you would write me fully the situation from the best information you can obtain in your district and give me the names of the candidates for the Legislature who should be supported by our friends. I hope Mr. Onion is taking an active interest in this matter." (S-1250.)

B. Adoue of the Texas Brewers' Association writes Otto Wahr-  
mund, 4-1-04:

"Your letters 30 and 31st ult. received, with letter of T. W. Dee and press copy of your answer to Mr. Gresham. There is nothing in Felix application; see remarks at front of Dee's letter, which I return herewith.

"I consent with your views as expressed in your answer to Gresham and Morgan.

"The anti-prohibition campaign headquarters is not by any means idle, and I believe some good is being accomplished. To reimburse you for payments made to Mr. Onion, \$208.33 salary January and February, \$416.66, and to Judge Schuetze four months, \$50 per month, \$200; total \$616.66, I send you herewith check on San Antonio bank." (S-1259.)

Excerpt from letter of Dallas Brewery, 4-8-04, to B. Adoue, Texas Brewers' Association:

"I am in Mr. Hill's office quite often, but cannot get much satisfaction as to the work that is being done, and I think this is due to the fact that aside from our Greenville friends the members of the general committee are doing very little work; in fact, it seems to me they are laboring under the impression that their appointment was more in the nature of an honor (perhaps to our interest) and that others would look after the practical work, and this to a large measure is being looked after by our Greenville friends, who not only understand the question, but are hard workers.

"Upon receipt of your first letter concerning 'Aunt Lucindy,' called on Mr. Hill and he said he would take the matter up at once with Judge Hill, who is the committeeman from the Sherman district. I again mentioned the matter to Mr. Hill's secretary and he tells me that they have had no reply from Judge Hill on the subject. So I will in a few days see a party from Denison who I can rely upon, and I will have him see what can be done. I would write him, but I believe a personal interview will be a better plan, as there is no telling what may come of writing a letter on such subjects." (D-141.)

J. H. Morgan, Greenville, received the following letter from the Dallas Brewery, dated 4-19-04:



"Enclosed find New York exchange for \$433.45 to cover March expenses and payment due the 15th of this month. I hope you will pardon my delay in not attending to this matter before, but I have not been at the office for several days on account of sickness.

"As the time is close at hand when we should be getting our matters in a systematical shape, I will thank you and the Judge to go over the situation in each county. I want this information for some of our people and especially for Col. Gresham, who will be at home about the 1st of May, and will from that time be in close touch with the work, and as a starter I think a full report from yourself and the Judge will be a good one." (D-151.)

Dallas Brewery to B. Adoue, Galveston, 4-20-04:

"I have seen Mr. Hill concerning the Leon County matter mentioned in your letter of the 8th inst., and about the matter of Mr. Griggs, who wants to represent the Houston district in the Senate. Mr. Hill says he has written Mr. H. B. Rice several times about matters in his district, but has never been able to get any replies, and that he could not say what had better be done in Leon County, but would investigate at once and report. He says concerning the report to the effect that Mr. Griggs is supporting for State Senator Mr. J. B. Williams, that it is his understanding that Mr. Rice was supporting Mr. Griggs and was in fact one of the men that got Mr. Griggs to make the race. He promised to look into the matter and report.

"The lack of information by the central office herein, the above two matters leads me to believe that the members of the general committee appointed over the State are not taking much interest in the work. As stated in my former letter to you, they look upon the appointment in my opinion in the light of an honor, and with few exceptions will do no practical work.

"I would suggest that soon as Col. Gresham returns that we have a meeting and outline a plan looking to the placing of several practical men in the field who will visit each district and county and see that our people are alive to the importance of getting our men to realize that if we expect to win we must look closely after the practical part of the work.

"I have written our Greenville friends to give me a report on every county in their district, and I hope to have this report in hand for Col. Gresham soon as he returns." (D-152.)

The Dallas Brewery sent to Col. Gresham at Galveston the following letter of date 5-12-04:

"In looking over my list of the members of the last House of Representatives I find that Mr. Onion, also Mr. Carlock, had Mr. C. C. Pierson of Burnett down as an anti; that is, both gentlemen counted on his vote in support of the Willacy bill.

"I am writing Mr. Morgan of Greenville by this mail requesting that he and Judge Sherrell meet you here Saturday, and I enclose herewith a copy of the letter." (D-169.)

(See D-170.)

On 6-6-04 the Dallas Brewery wrote J. H. Morgan of Greenville as follows:

"I understand that Col. Henderson of Sulphur Springs has not as yet announced. Would suggest that you consult with our mutual friend Mr. Murphy and I believe between you, Mr. Murphy and Mr. Fosque, and some other good friends at Sulphur Springs, that you can prevail on Col. Henderson to make the race; that is, I was informed today by a friend who was in Sulphur Springs last week that in conversation with Mr. Fosque, Mr. Yesner and Mr. Patrick it was intimated that with some encouragement Col. Henderson would make the race, so I hope you will take this matter up at once and do what you can, as I know Col. Henderson to be a very strong man." (D-187.)

On 6-10-04 the San Antonio Brewing Association, through Otto Wahrmond, wrote Mr. Dan Holekamp, Comfort, Texas, as follows:

"I take the liberty of addressing you a few lines on matters political, and will state that it is of the utmost importance to our mutual interests as well as of interest to all the liberty-loving people of the great State of Texas to see that nothing but good, conservative, liberal, fair-minded people are sent to represent us in the next Legislature. I am told that there are three (3) candidates for the Legislature from your district, one of whom, Mr. H. E. Wilson of Junction, is a rampant prohibitionist! Another is Sid Rees, brother-in-law of our late Representative Mr. H. Nowlin, and he is unsafe; cannot be depended upon as far as our interests are concerned and, might serve the pros.

"The other candidate is Judge W. W. Burnett, a splendid gentleman, broad-minded and liberal in his views and tolerant of those of others. He is perfectly safe, so I sincerely trust that you and the rest of our friends there and in that vicinity will do all in your power to further the interests of Judge Burnett, and if I am not asking too much, I should like very much to have an expression of opinion from you, advising what we may expect. Thanking you in advance for favor of kind consideration, and hoping that I may be able to reciprocate the favor some time, etc." (S-1336.)

Excerpt from letter of Otto Wahrmond to B. Adoue, Galveston, 6-18-04:

"When next I meet our friend Onion I will ask him what arrangement he has with Col. Gresham, and agree with you in that one time pay is amply sufficient." (S-1351.)

J. F. Onion wrote to Otto Wahrmond, San Antonio Brewing Association, 7-1-04, as follows:

"Your note received dated Kerrville. I have been absent all week engaged in the matter you spoke of and also looking after Brown and Coleman districts. Hon. William Joseph of Lampasas is running against Gray at my solicitation, and I think will beat him. I have done some hard work and think we will be able to leave Gray at home. In any event, I have done all I could in this direction. \* \* \*" S-1388.)

Letter Walter Gresham to Otto Wahrmund, San Antonio Brewing Association, 7-12-04:

"The battle has been fought, and while the result is not yet definitely determined, I believe we have elected a small majority of our friends to the Legislature, but the matter is so close that I am unable to state definitely whether we have a majority or not. The difference will not be more than four or five votes either way. I would like to know how John H. Vaughn of Guadalupe County stands? I presume he is an 'anti' but do not know. I hope our friends will come to Houston with a strong delegation of men who are 'antis.'

"I would like for you to tell me the situation in your section of the State, giving me the names of the members nominated for the Legislature who we can count upon." (S-1433.)

Letter San Antonio Brewing Association to Walter Gresham, 7-13-04:

"I am just in receipt of your favor of the 12th inst., the contents of which I have perused very carefully. Replying beg to state that I am positive the Bexar delegation will consist of Cobbs, Onion, et al, all straight 'anti.'

"Gillespie will be represented by party by the name of Johnson, a straight 'anti.'

"From Medina we will have our old friend Hal Sevier, who has always been an 'anti,' and will remain so I am sure.

"I have not as yet heard from Kerr, but pretty sure that we will have from there Judge Burnett, a straight 'anti.'

"I had a talk with Judge Weinert of Seguin (who was not a candidate) and he told me that a party by the name of Stein had received the Democratic nomination, and would be opposed by a party by the name of Werner, a Republican, both antis, so we have nothing to fear there. I do not know the party Vaughn to whom you refer, but Judge Weinert promised to call and explain to me fully the situation, and as soon as he does, I will, in turn, report fully to you, advising what he has to say.

"From Wilson we will have Murray, who is also all right, and from El Paso, Pat Dwyer, who can also be depended upon.

"Our friend Slayden carried the entire district, and our local election went to our entire and utmost satisfaction. Our friend Davidson made a magnificent showing not alone in old Bexar, but in this entire section!" (S-1435.)

(See S-1441.)

Excerpt from Walter Gresham's letter to Col. Otto Wahrmund, San Antonio Brewing Association, 7-19-04:

"From the best information I have been able to gather, we have elected sixty-five (65) of our candidates to the next House of Representatives. We may gain two or three more. Besides this there are five or six 'pro' candidates who were supported by our friends, and



who promised to vote to equalize the local option laws. Under these conditions, if we can insert an equalization plank in the State platform, I think we can get the remedial legislation we may desire from the next Legislature. I hope you will use your best influence to get a delegation of strong men to attend the Houston convention from your section of the State. Will be glad to hear from you upon this subject." (S-1460.)

Letter B. Adoue, Texas Brewers' Association, to Zane Cetti, Texas Brewing Company, 7-22-04:

"The St. Louis National Democratic Convention inserted in its platform a plank against sumptuary laws; we are now preparing for introducing the same plank in the Democratic convention to be held at Houston, August 2nd.

"In addition to that plank we want to introduce a resolution against the present laws regulating prohibition in Texas. This will be strongly opposed in the convention. What are your views on that subject?

"If you have no objection to come here next Thursday, the 28th, I will request the other members of the committee to attend a meeting on that day. Mr. Gresham will prepare the resolution and have them ready for discussion.

"I have asked Mr. Koehler to attend the meeting, if one is held, and he has promised to come. Next Monday I will go to Houston and will notify Hamilton and Prince.

"Mr. Morgan is absent from Dallas, but may be back in time to attend meeting." (TB-233.)

(See TB-235.)

Excerpt from Walter Gresham to Otto Wahrmund, San Antonio Brewing Association, 7-26-04:

"I see from the papers that in the Kerrville district the race for the Legislature will be made between W. W. Burnett of Kerr and H. E. Wilson of Kimble, as the convention turned both candidates loose to fight it out at the November election. Will you kindly write me how Mr. Wilson stands in regard to prohibition and equalizing the local option laws." (S-1478.)

Letter San Antonio Brewing Association to Walter Gresham, 7-27-04:

"Noting your kind favor of the 26th inst. beg to state that our man, Judge Burnett, was late in announcing and getting down to work, so that when myself and friends got up there we found things in rather bad shape, almost too late to accomplish anything other than to look the convention, which we forthwith proceeded to and did do. As you state, they have turned both candidates loose to fight it out, and I do not think that we will have any trouble in electing our man, Judge Burnett, who is outspoken, while the other candidate, Mr. Wilson, is an avowed prohibitionist!" (S-1481.)

Letter San Antonio Brewing Association to Walter Gresham, 7-27-04:

"I have it on good authority that a fight will be made on Onion should it be decided to place him on the committee on platform, a fight by our local people here. I don't know where to locate Onion, otherwise I would tell him personally about this. If you should be able to locate him better appraise him of this, permitting him, in turn, to have some good friend sound Carlos Bee of this city on the subject." (S-1483.)

Letter Walter Gresham, Galveston, to San Antonio Brewing Association, 7-28-04:

"I hope you will see to it that the counties in your section of the State, where 'anti' delegates have been selected to attend the Houston convention are represented in the convention by our friends. This is essential to our success. As Mr. Onion is absent from the city, I hope you will devote your time from now until Tuesday next in getting our friends to attend the convention. If we can get a solid delegation from the counties from West Texas we will control the situation. I hope you realize the importance of this and will use your best efforts to have our friends attend the convention." (S-1487.)

Letter Otto Wahrmond to Walter Gresham, 7-29-04:

"I am in receipt of your favor of the 28th inst., and beg to state in reply that I shall with pleasure comply with your request. I am going up to Kerrville tomorrow and will in turn visit Fredericksburg Sunday and will return and go to Houston personally Tuesday and shall leave nothing undone to have as many of our friends as possible represented at the convention."

Letter, excerpt, San Antonio Brewing Association to S. Maier, Palestine, Texas, 7-30-04:

"I tried to reach you by phone today, but without success on account of some election that you were having there. What I desired to say to you is this: I have just returned from a meeting of the brewers in executive session with reference to the anti-prohibition campaign, and we desire to impress on all of our friends the necessity of being represented at the State convention to be held in Houston, Tuesday next, the 2nd inst., with as strong a delegation, anti delegation, as it is possible for us to have there. This is extremely important, and I have written to you and other friends on the same subject, for we feel that if we can go there strong enough we can force an anti-prohibition plank into the platform, and this will give us the so much to be desired relief that we have been looking for and have worked so hard to obtain. Can I not count on you and your aid in this instance? Please do not underestimate the importance of this, but try yourself to be there and have as many of our friends as possible attend with you, and if not too much trouble write or wire me if we can count on good delegation from section." (S-1492.)

Letter S. T. Morgan, Dallas Brewery, to San Antonio Brewing Association, 8-22-04:

"I have your favor of the 18th inst., and in reply will state that I have intended writing you for some time, but have put the matter off on account of being quite busy, and waiting to see what the Shaw article would contain.

"I received a letter from Col. Gresham on the 20th and I am writing him by this mail, and hand you herewith a copy of the letter.

"Our attorney advises me that grave doubts exist about getting relief under our present Constitution, and if this is so, and we find it necessary to amend the Constitution, in my opinion we will have a hard fight to prevent the passage of a high license law. Furthermore, the constitutional amendment would have to be voted on by the people, and as I understand it this could not be done until the next regular election. I may be mistaken on this point, but at any rate it would mean a hard fight and considerable time before we could get the results desired, and this is doubtful at present, as the sentiment is somewhat strong in favor of high license.

"I do not favor the Shaw amendments, believing that most of them will be dangerous and if enacted into laws we will be placed at the mercy of the politicians from the Governor down to members of the City Council of every incorporated town. That is, when a city wants to raise money for any purpose they would at once proceed to tax the saloon business to the full limit, and there would always be certain members of the county and city government that would be on the lookout to turn an 'honest penny' by introducing bills looking to the raising of the license and restricting the limits to certain parts of the town.

"Whether or not we can get relief under our present Constitution is a question for the respective attorneys of the breweries to pass on, and this, I think, we should have done before we go to any expense looking to a change, and especially am I opposed to the suggestions made by Mr. Shaw, and I believe if his article is carefully analyzed that all of the brewers will agree on this point.

"If you have a copy of the paper containing the Shaw article let me know and I will mail you a copy." (S-1529, D-188.)

Excerpt from S. T. Morgan, Dallas Brewery, to Thomas F. Keeley, 8-23-04, Chicago:

"\* \* \* We are still working on the local option situation, and as usual, I am opposed to the plan of the South Texas people, as I am sure the Shaw article started from them, and in my opinion there can be nothing more dangerous than allowing incorporated cities to set the amount of the license, for so sure as this is done we will be at the mercy of every City Council that may want to make a showing either in the way of improvements or restricting the saloon limits.

"I have written to Col. Gresham of Galveston on this subject and to Mr. Otto Wahrmund of the San Antonio Brewing Association of San Antonio, Texas, in reply to letters received from them, and I be-



lieve that when the Shaw article is thoroughly analyzed that they will see that we have opened up an unprofitable campaign, and will, in my opinion, be most disastrous to us. That is, had the strongest prohibitionist written the Shaw amendments they could not have suggested planks that would be more injurious to the beer business. I am in hopes that I can get the Shaw article changed in the future, especially in the Texas Farmer, that it will prove to our advantage. That is, to use the article as an argument to the effect that the prohibitionists would not agree to any compromise made. As it now stands, in my opinion, we would be simply eaten up by the politicians and their friends, who would work the high license dodge and redistricting measure as a hold-up of the breweries." (D-192.)

Excerpt from S. T. Morgan, Dallas Brewery, to Walter Gresham, 8-23-04:

"Mr. Morgan called to see me a few days ago and stated that he and Judge Sherrell would go over their territory and make you a detailed report, and in the report would show just how each member stood. If you do not get this report in a few days let me know and I will take the matter up with Mr. Morgan.

"As to what change we should advocate in the local option law in the next Legislature, if any change at all, I am not at this time prepared to say, as in my judgment, based on the opinion of our attorney, we can get very little relief under the present Constitution, and if the question is raised we will no doubt have all that we can do to keep the prohibitionists from passing a high license law, or the proposed laws as suggested in the editorial of 'Farmer Shaw,' and concerning the proposed amendments as outlined in the editorial, will state that in my opinion if Mr. Shaw had for his object (as intimated therein) the starting of an argument on the question, that he has taken the most dangerous grounds from our point of view, as any plan of taxation on the subject giving incorporated cities the right to make the license whatever amount the respective City Councils may deem proper, and restricting the limits in such incorporated cities, is a dangerous move, and will prove disastrous to the brewing business, although it might help to some extent the liquor business. \* \* \* I have seen this plan of taxation tried in the State of Louisiana, and have seen the license raised from \$100 to \$1,000 without any difference being made between the whiskey and beer license, and, in fact, most of the amendments proposed in the Shaw article will, I believe, put the breweries at the mercy of the county, State and municipal politicians, and unless we can get a law that will be fair to the beer business, I would favor holding on to what we have, but continuing our educational work, believing that this work will in turn result in the incorporated towns voting for the open saloon under our present license law. There is a strong sentiment in this part of the State in favor of the high license law, and the Shaw amendments would give the prohibitionists an opportunity to work for this kind of a law with chances in favor of it passing.

"I think it might be a good plan for all of the breweries to take

this question up with their respective attorneys and get their opinions as to how the present law could be amended without increasing the beer license." (D-195.)

Letter S. T. Morgan, Dallas Brewery, to J. H. Morgan, 9-1-04, Greenville:

"I have your letter of the 27th inst., and I thank you very much for the information and advice therein given. As I have written you heretofore, I will do nothing with the property before first consulting with you, consequently should I have any inquiries will refer same to you before making any reply." (D-196.)

(See S-1566.)

Excerpt American Brewing Association to S. T. Morgan, 10-11-04:

"Immediately upon receipt of your circular letter of the 8th with reference to a call for a meeting of the 12th we wired you that we did not think that the meeting was intended for our interest and would not, therefore, attend, which we hereby beg to confirm. We are under the impression that the gentleman at whose instance Mr. Cetti requested the meeting are lobbyists, who are hoping to secure fat positions, to be kept in Austin during the coming Legislature, and as the writer does not advocate the making of fat positions for anyone, we therefore regard the matter of the meeting as not to be promoting of our interest, and hope that this will meet with the same views of other members in our line of business." (A-1210.)

(See S-1645, S-1648.)

On November 11, 1904, D. A. Paulus of Hallettsville, Texas, wrote Col. Otto Wahrmond, among other things, saying:

"This is to let you know that I am getting ready to do law-making ere long and that I want to know what you think about the advisability of trying to change our local option law so as to permit the voters to determine whether the sale of spirituous, vinous and malt liquors shall be entirely prohibited or only limited; in other words, vote out whiskey and yet permit sale of wine and beer. Something must be done to prevent the present method of shipment of whiskey by express into local option districts where more whiskey is sold than before adoption of local option, the State getting no revenue. If the State could be made to get revenues sufficient from corporations to pay expenses of State government and collect no occupation tax and let each county fix its own occupation tax and determine for itself the liquor question it would be improvement of things. Local option counties never fail to do their part in paying expenses of State government. I wrote Col. Gresham on the subject and suggested that our friends meet early in Austin so as to get a good start in the lawmaking, etc." (S-1665.)

The San Antonio Brewing Association on November 12, 1904, wrote Mr. Paulus in reply to the above, as follows:

"I received your note and note contents and appreciate kind suggestions. Yes, I feel that we should all get together as soon as possible, if not to see and decide if we cannot change the condition of affairs, then for the purpose of outlining a course of action so that we may be prepared to defend ourselves, for I am positive that we will have one of the most bitter fights that has ever been waged by the pros in the next Legislature. I am willing and ready at all times to attend meeting and help all that I possibly can." (S-1666.)

Excerpt from letter written November 14, 1904, by B. Adoue to Otto Wahrhund:

"Your letter of the 12th inst. received enclosing one from Mr. Paulus and its contents are interesting. I return it herewith." (S-1668.)

R. L. Autrey on December 27, 1904, wrote Zane Cetti, president of the Texas Brewing Company, Fort Worth, the following letter:

"Capt. Paget was here this morning and talked to me on the subject of the prospective action of the Federation of Labor legislative committee in the support of high license and the concentration of saloons in stated districts in large cities. This move is clearly inimical to brewery interests and brewery employes, and for the purpose of combatting the move, and to show the number of laboring men whose interests are adversely affected, I request that you furnish me with the following information:

"First: Number of your brewers and amount of payroll.

"Second: Number of your bottlers and amount of payroll.

"Third: Number of your drivers and amount of pay, employed by your branches, giving locations.

"I am addressing a copy hereof to each brewery, and the information when obtained will be turned over to Capt. Paget, also used by me here. It is important that this information be in my hands before January 2nd." (TB-256.)

1905.

Excerpt from letter from the San Antonio Brewing Association to B. Adoue, dated January 12, 1905:

"Although associated with Mr. Koehler for a long, long time, and also in this particular business, I am sorry to advise that this is one instance in which we do not agree. We have always been pretty much of the same opinion except in this matter right now! In this instance I am compelled to disagree, for I cannot see what we can accomplish by offering or even talking compromise to our enemies at this time, for it is a well-known fact that these fanatical people will not cede us anything whatsoever unless they positively see that they cannot help themselves. In other words, were it in their power to destroy us they would do so immediately. My idea would be to wait, ascertain what strength they will develop and in what direction they propose to attack. This simply means, condensed, that we will be on the defensive, be prepared to meet their attacks, that is all, and with the friends that.



we have got in the Seante, as well as in the House, and I know that some of the strongest and most fair-minded in both branches are fair-minded and will do the right thing. I do not think that there is any danger unless the fight should be precipitated by the distillers, the wholesale as well as the retail liquor dealers!

"I admit the soundness of the various compromise measures suggested by Mr. Koehler, such as the 12 o'clock closing, etc., all as mentioned to you, but I do not think that the time is ripe to put the same into execution. Any one or all of them would carry great weight, I feel assured, but, in my opinion, the time has not arrived for us to resort to such compromise measures!" (S-1763.)

On January 16, 1905, the San Antonio Brewing Association wrote B. Adoue the following:

"I beg to advise that I again received communication from Mr. Onion this morning, in which he writes me that in his opinion we should lose no time in adopting a plan of action, as he thinks that we will have to concede something on the license question. He states further that he tried to get Mr. Gresham there, but that the latter could not go, due to the fact that he had a son who was very sick at Mineral Wells.

"I am really surprised, to say the least, at the action of Senator Love of Dallas. Being the progressive man that he is supposed to be, and representing such a progressive constituency, that he should entertain such views. A high license, \$2,000, as proposed, might not imply prohibition, but it would be virtually prohibition, for the large amount required to take out license would make it prohibitory. When I make this remark as to his action I presume, of course, that he is sincere in what he proposed, and that it is not based on a desire to counteract extreme legislation in the other direction." (S-1771.)

Mr. S. T. Morgan of the Dallas Brewery wrote Otto Wahrmond on January 17, 1905, as follows:

"Don't you think we should arrange with some one at Austin to mail to each one of the breweries in Texas, or to their managers, a copy of all bills introduced in the House and Senate affecting the liquor business in any way. If this information is promptly furnished it is possible some of us could suggest to our friends a way whereby said proposed legislation might be defeated if thought to be detrimental to the business." (S-1775.)

On January 18, 1905, B. Adoue wrote Otto Wahrmond, excerpt from which letter follows:

"\* \* \* I have not yet seen the report of the introduction of the \$2,000 license, but it seems like as if Mr. Love is determined to do it, and I fear will receive strong support from all the prohibitionists and local optionists as well as from other members. It is a popular measure even with many antis.

"The fight must be made in the committee, and Mr. Gresham will do all he can to prevent passage of that bill." (S-1782.)

Excerpt from letter dated January 19, 1905, written by the San Antonio Brewing Association to Mr. B. Adoue:

"\* \* \* I received a copy of the bill which Representative Love introduced, as well as of other extreme measures introduced in the House, and I am now sending the same to Mr. Koehler, in New York. No doubt Col. Gresham is keeping you well informed as to what is transpiring as well as sending you copies of all bills introduced which are likely to affect our interests?

"The people of this town and in this vicinity are now, all of a sudden, taking a very active interest in the trend of affairs, and the saloon men, especially, would be very glad if things are permitted to remain as they are at present. I have letters from friends in the Senate, as well as in the House, which indicate that we are going to have a very hard fight on this license proposition!" (S-1783.)

The following is a postscript to letter dated January 19, 1905, written by San Antonio Brewing Association to S. T. Morgan of the Dallas Brewery:

"Mr. Hamilton this moment spoke to me by phone. He is very much excited over present condition of affairs and I believe will ask for a meeting." (S-1786.)

On January 18, 1905, Hon. W. A. Hanger, president pro tem of the Senate, wrote to Mr. Zane Cetti of the Texas Brewing Company the following letter:

"I am just in receipt of yours of the 17th instant, and in reply will say that I heartily concur in your suggestion with reference to the additional clauses which should be appended to the liquor law relating to bonds of liquor dealers." (TB-274.)

Excerpt from letter written January 20, 1905, by S. T. Morgan to Otto Wahrmond:

"I notice in this morning's News that Mr. Love has introduced his bill. I suppose Col. Gresham is looking after everything, but I am free to admit that I am getting somewhat nervous, and I hope that a meeting will be held next week." (S-1794.)

(See TB-276, A-1796.)

Excerpt from letter dated January 28, 1905, to B. Adoue from the San Antonio Brewing Association:

"I beg to advise that I have been to Austin and returned this morning, and while there had a talk with a large number of people, the Governor, Senators, Representatives and others, a task which was anything but pleasant, especially so when we stop to consider that one is interested in a business recognized by the National as well as by the State government, with large investments, a large taxpayer, yet

notwithstanding, compelled to trade, beg its friends from beginning of the year to the end to save your business from destruction.

"It is hard at present to ascertain our strength in the House, especially, but I have made and partly perfected combinations and consolidations and arrangements whereby I feel pretty safe as far as the passage of a uniform license bill is concerned." (S-1806.)

(See S-1809, TB-277, S-1816.)

The following is an excerpt from a letter dated February 1, 1905, written by Adolphus Busch to Zane Cetti of the Texas Brewing Company:

"From your letter of January 20th I see that you are having your troubles, too, and if it is any consolation for you to know it, we have ours as well; the only difference is that I have to listen to the wrongdoings of every State Legislature in the country, doing business in every State, while you have only the one to contend with. This will give you some idea of my troubles, and the restless days and nights I spend. But I have made up my mind that I must stand it, so I am going to fight as bravely as I know how, do the very best I can, make friends everywhere, read, write and preach whenever the occasion is opportune, so that my hand is often lame, my tongue tired and my voice husky, but my good humor and my cheerful spirit I am not going to lose. I hope you will do the same. To feel satisfied and contented, do your full duty in making a strong, dignified and intelligent fight. Be untiring in this direction; make friends wherever you are and wherever you go; every one can help a little, every one has some influence and can exert it in some direction; one enemy can do you more harm than a dozen friends can do good, so make all your friends. The way to win at Austin is to win the good will of the people in every city and town, and gain their influence for the cause, for they are the ones who can influence your representatives and can appeal to them that justice and fairness is done." (TB-281.)

The following is a letter written by San Antonio Brewing Association to Zane Cetti, Fort Worth, 4-7-05:

"I wired you this morning and now have the pleasure of confirming as follows:

"'Brewery tax in Kennedy bill killed by vote 15 to 14,' and in further relation thereto beg to state that I feel that we have good cause for mutual congratulation!" (T-327.)

The following is an excerpt from a letter written by the San Antonio Brewing Association to Adolph Stein of New Braunfels, 4-12-05:

"We are a Texas concern and, in fact, have the right to say that we have done more than all other interests put together to prevent prohibition, also to prevent the passage of such laws and other measures which would have made it impossible to operate saloons within the limits thereof. This we have done for years at great expense and by



persistent and very hard work, a fact which we think should and will be appreciated not alone by all of the saloon men, but by every liberty-lover in this great State of Texas!" (S-1926.)

The following is an excerpt from a letter written by O. Paget to B. Adoue, 5-3-05:

"I respectfully submit my report for April. It was the busiest month for a year and from present indications the ensuing three months will be yet more busy—explanation will develop later on.

"The Legislature was well handled. Only two bills passed in any way affecting the liquor interest and one was against gambling. No effort was made to defeat the latter. The cold storage bill will not stand the test of the courts, neither will House Bill 543 against soliciting in dry counties. Within the next few days I will send you elaborate opinions upon these questions written by Judge Ballew, who outlined the political situation in the State, copy of which has been sent you.

"The effort of the pros to introduce at the closing hours of the Legislature a constitutional amendment to be voted upon—so sure was the gang of passing it that Mr. Hornaday of the Houston Post, on Friday, sent in a special report to appear on Sunday—it came out on Monday instead and though the amendment did not pass, the Post swallowed the story whole.

"The work of the legislative committee in our behalf cannot be overestimated." (TB-343.)

(See TB-3349.)

The following is a letter written by Texas Brewing Company to Frank Hamm, Dallas, 5-11-05:

"We have your favor of the 9th inst. asking us to send the Dallas Brewery \$134, our pro rata for work done at Austin. In reply, we wish to say that we do not know anything of any work that has been done for us by the Dallas Brewery at Austin. Please let us have some further information, as we have no advice to that effect from the Dallas Brewery." (T-353.)

(See A-1260, S-1831.)

The following is an excerpt from a letter written to T. J. Martin by San Antonio Brewing Association, 2-10-05:

"While on the subject, beg to state, Tommie, that much as I would like to have it otherwise, I fear that I cannot give you much encouragement as regards finances, for our people now have the fight of their lives on hand, especially on account of this uniform high license bill, which is going to be a very serious and expensive proposition to defeat. At the same time, I will do the best that I can with pleasure." (S-1832.)

The following is an excerpt from a letter written to Zane Cetti by S. T. Morgan, 2-11-05:

"I have written to one of our friends in Austin concerning the

Decker bill, and suggested that if the bill could not be defeated that it be so amended as to apply only to counties having cities of over 2,500 inhabitants." (TB-299.)

The following is an excerpt from a letter to Zane Cetti of Fort Worth by S. T. Morgan, 2-11-05:

"If we can possibly defeat the bill we should do so, as it will set, in my opinion, a very dangerous precedent." (TB-302.)

The following is an excerpt from a letter to James O. B. Young of Edna from San Antonio Brewing Association, 2-18-05:

"We are in receipt of your favor of the 16th inst. and note carefully contents. Replying, beg to state that it was really unnecessary to remind us, for we have been fighting not alone that bill, but all other pernicious and unjust legislation disregardless of time, labor or expense! In fact, while we do not care to 'crow' especially, we can say that were it not for the good work which we have accomplished, the saloon business of this State would be in mighty bad shape today! It is a question even if there would be any saloon business.

"We never let up, and we hope that our good friends will appreciate that fact and stand with us, for it is only by united action that we can accomplish the good results in favor of the liberty-loving people of the State which are so much to be desired." (S-1850.)

The following is an excerpt from a letter to B. Adoue from San Antonio Brewing Association, 2-18-05:

"Matters are in very good shape at Austin. Next to the high license bill we have the Decker bill to contend with, which is a very vicious measure, and for your further information, I have pleasure in handing you a copy of the same herewith." (S-1851.)

The following is an excerpt from a letter to H. Prince of Houston from B. Adoue of Galveston, 2-8-05:

"I hope you did not go to Austin, but if you did I urge you accomplish some good. Hamilton telephoned yesterday that he intended to go regardless of anybody else's opinion, and said all the brewers should be in Austin today to protect their interest. Maybe he is right, but good authorities on the subject have said, 'Keep Wahrmond and Hamilton out of Austin,' and I know that my presence there two years ago did actual harm to our cause.

"I believe in the efficiency of education, and I have spared neither mind or time for that purpose, but I cannot follow the methods employed by Hamilton and Wahrmond, which is not in my line of talent. Their way may be the best, but Gresham, Harris, Parker and even Koehler are against it, and I prefer acting in line with them. It is mine in accord with my judgment and inclination." (A-1259.)

The following is an excerpt from a letter to Otto Wahrmond written by S. T. Morgan, 2-8-05:

"Enclosed find copy of letter I am today writing our friend Mr. Stafford relative to the Decker bill. I do not want to appear unduly nervous, but owing to our local condition I am free to admit that I would have been much better satisfied had such a measure never been introduced. While South Texas at this time, and especially your city, would not be affected by the bill to any extent, still you must admit that when the grafters catch on that you will have men, even in your county, running for the office, that would, to say the least, make it very costly and troublesome for you. I am greatly of the opinion that we should use every effort to defeat the bill." (S-1825.)

The following is an excerpt from a letter to R. N. Stafford written by S. T. Morgan, 2-8-05:

"I notice that the Decker bill, giving to the Commissioners' Court power to locate saloons and grant license for same, has been reported favorable. I hope that if the bill cannot be defeated that it will at least be so amended as not to include counties containing cities having a population of over 2,500.

"If you think it will do any good I could see the Henrietta parties that I spoke to you about and it might be well for you to speak to the Galveston parties and get them to mention this matter to the parties at Wichita Falls." (S-1827.)

The following is an excerpt from a letter to Sam T. Morgan written by R. N. Stafford from Senate Chamber, Austin, 2-10-05:

"Yours of yesterday received. I have conferred with several of my friends, including Senator Decker, in regard to the provisions of the bill to which you refer. He has prepared a substitute for the bill and it will be published in the Journal of tomorrow. I do not know what changes the substitute makes in the present bill, but will have a copy of today's Journal sent you tomorrow that you may look it over. Mr. Decker says distinctly that he does not in the least desire to injure either you or any of the brewer's interests of the State, and I know him to be sincere in the statement, and feel sure that we can take out anything in the bill which will be specially obnoxious to you." (TB-297.)

The following is a letter written by American Brewing Association to Brunswick-Balke-Collender Co. of Chicago, 2-27-05:

"We are in receipt of yours of the 21st and note what your Mr. Hale has to say with reference to his contemplated visit to Texas.

"We have already a delegation in Austin lobbying against the passage of such bills that are detrimental to our business and in hopes of succeeding in convincing the members of the Legislature that the action would be against the interests of the entire State. We hope to meet with some success in our undertakings.

"Our expenses in these matters are considerable and if you feel inclined to contribute towards the educational fund it would be most thankfully accepted.

"You may address Mr. B. Adoue, banker, Galveston, Texas, on these matters." (A-1264.)



The following is a letter written to San Antonio Brewing Association by B. Adoue of Galveston, 3-4-05:

"Your letter of yesterday received and I send you herewith \$1,500 check.

"On receipt of your telegram I telegraphed Mr. Linthicum to come here.

"My instructions to him are 'never to mention breweries; he is at Austin to represent LABOR EXCLUSIVELY,' but I suppose he does not follow instructions. Tomorrow morning he will be here and I shall arrange to keep him out of Austin until after the session of the Legislature is ended." (S-1863.)

The following is a letter written to W. A. Myrick, Austin, Texas, by American Brewing Association, 3-8-05:

"We beg to acknowledge receipt of yours of the 7th and in reply beg to state that a contract with your paper for advertising space has already been entered into.

"As the advertising space will be used in the promotion of brewing industries and feeling confident that you are a friend of the breweries, you will no doubt aid us in fighting some of the antagonistic bills that are now being agitated before the present Legislature, one of which is the uniform high license bill, which, if carried, would be the means of crippling the State breweries and assisting very materially the distilleries of Kentucky and Tennessee. We hope that you will take the time to look into the merits of our claim, so that when the matter comes up for your consideration you will be well informed on the subject in question." (A-1266.)

(S-1868.)

The following is an excerpt from a letter written by O. Paget to L. W. Levy, Galveston, Texas:

"Much legislative work was done and the office was kept busy sending out literature, circularizing and keeping your association advised of various occurrences." (S-1912.)

On May 17, 1905, J. F. Onion of San Antonio, Texas, wrote Otto Koehler of the San Antonio Brewing Association the following:

"I have a request from Mr. George Mendell, staff correspondent of the Houston Chronicle in Austin, requesting a case of beer. Mr. Wahrmond permitted me to extend this courtesy to him during the session of the Legislature, and as Mr. Mendell has been our friend, I think it would be a good idea to comply with his request and notify your Austin house to furnish him with a case.

"Mr. V. V. Daniels of Lufkin, Texas, a member of the anti-prohibition executive committee, has sent me a letter requesting that a case of XXX be sent to him. Mr. Daniels has been our friend and has done a great deal of work and will continue to do so, and I think his request should be complied with. However, it might be best to

have the Houston people take care of him, and if you think this best please have them do so.

"It is said misfortunes never come single, and to the above requests I wish to add my own; send me a case of XXX to my address, 131 San Pedro Ave." (S-2004.)

On the following day, May 18, 1905, the San Antonio Brewing Association wrote Mr. Onion the following:

"I am just in receipt of your favor of the 17th inst. and note your various requests, which will have immediate attention. It is a pleasure to be able to serve our friends!" (S-2007.)

S. T. Morgan, president of the Dallas Brewery, on June 19, 1905, wrote Zane Cetti the following:

"Enclosed find copy of bill that seeks to regulate the shipment of intoxicating liquors into prohibition districts. If the bill is good law, I am of the opinion that it will affect the TEXAS BREWERIES very materially, as we have customers that would not want casks shipped them branded INTOXICATING LIQUOR. I think we should have our attorneys give us their opinion as to the legality of the law, as you and I especially cannot afford to take any chances, as we would no doubt be harassed considerable by the prohibitionists in our respective cities. I don't believe South Texas will be affected very much, as the local officials will not bother the breweries in Houston, Galveston or San Antonio, and as the law cannot reach the foreign breweries you will readily see the disadvantage we will be placed at. I have asked our attorney to give me his opinion of the legality of the bill, and as soon as he does so will send you copy.

"As the express and railroad companies will be affected by the bill, I write Col. Gresham, asking him to see the general attorneys of the express and railroad companies and get their opinion, and if deemed advisable to act together.

"I also send you under separate cover copy of House Bill No. 543, relative to the sale by clubs, and a copy of Senate Bill No. 44, relative to soliciting and taking orders in local option precincts.

"All of the bills become effective July 15th, and we should get our attorneys' opinions as soon as possible, and if necessary arrange for them to get together and decide on the course to pursue, as none of us can afford to figure in the courts to any great extent." (TB-378.)

(See TB-380.)

On May 20, 1905, the San Antonio Brewing Association wrote Mr. Max Hirsch of Elgin, Texas, excerpt from which letter follows:

"\* \* \* we know, Max, that you are candid enough to admit that we are working on a very close margin, and in view of the enormous expense that we have been put to in fighting adverse legislation, prohibition, etc., we are compelled to save every dollar that we can in order to make both ends meet." (S-2012.)

O. Paget on June 11, 1905, wrote the following letter to the various members of the Texas Brewers' Association:

"Mr. L. W. Levy, secretary of your association, desires me to call your attention to the fact that certain very drastic laws affecting our interest and business passed the last Legislature—supposing to go into effect on the 14th day of July. One of the leading attorneys in the State of Texas, W. W. BALLOW OF CORSICANA, advised this office that none of the laws passed will stand the test of the courts of last resort.

"This office is also informed that under the urging of George E. Rankin and several County Attorneys that most vigorous measures will be resorted to by the pros to dislodge your business. **Judge Ballow has offered his services to try any case which may arise in any county in Texas before any court without cost or expense to any member of your association if he does not win the case.** Should you need his services in any such capacity address him at Corsicana or write this office." (TB-383.)

Letter S. T. Morgan, Dallas Brewery, to Zane Cetti, Texas Brewing Company, 7-3-05:

"Enclosed find copy of opinion of Judge Eckford and Messrs. Newton & Ward relative to the constitutionality of the bills affecting our business that were passed at the last session of the Legislature. You will note that both hold that the bills are unconstitutional, but to more fully discuss the propositions the attorneys will meet in Houston on Thursday, the 6th inst. At the meeting the Houston people will have their attorneys present, and Mr. Wahrmond, Col. Gresham, Mr. Adoue and myself will be present, and I hope you can arrange to attend the meeting, as I consider the question to be discussed of great importance." (TB-385.)

Letter Texas Brewers' Association, through O. Paget, to its members, 7-12-05:

"Explanation of the following telegram sent from this office:

"(Telegram)—'Advise at once total number of employes, assessed valuation of all property belonging to brewery and total taxes, city, county and State; also various bi-products.'

"1. I was in North Texas when same was sent.

"2. The sender thereof is V. V. Daniels of Angelina County, who is now running for State Representative from his district, and a good friend of the brewers—closely connected with the work of the association and well known to all of you.

"3. The telegram was sent out of my office and with my signature with the hope of obtaining a quicker response.

"4. The reason for sending same, viz: Mr. Daniels is accused by his opponents of going to the Legislature purely and solely in the interests of the brewers and such interests are so small as to be infinitesimal and needs no such protection, and it is his intention to declare from the stump, as he has ever been doing, that the brewers



pay large taxes and have millions invested and employ many men who belong to various unions.

"The reasons are good and cogent and the same information is being sought at my hands by labor organizations in the State.

"During the last session of the Legislature I obtained similar information—copy of which is now before me and was in the hands of the legislative committee and our friends at Austin and did much to prevent legislation inimical to your interests.

"If you were to furnish the information for the purpose herein stated I will appreciate same and hand it to Mr. Daniels and labor leaders who are working in your interest. If you decline to do so the matter can drop here and I will remain." (TB-390.)

(S-2173, S-2174.)

Excerpt from San Antonio Brewing Association to Walter Q. Gresham, 7-19-05:

"\* \* \* I received a proposition from a reliable party to open up Bell County on a contingent fee, and after a conference with others who are interested, decided to accept the same. The proposition comes to me from good people, and it is so straight that I firmly believe they can deliver the goods." (S-2175.)

Excerpt from San Antonio Brewing Association to William Haines, Eagle Lake, 7-22-05:

"\* \* \* Don't they consider at all that we have done for them in combatting local option, defeating adverse legislation; in fact, looking out for their interest generally? \* \* \*" (S-2188.)

Letter to Otto Wahrmond, San Antonio Brewing Association, from George B. Griggs, State Senator, Austin, 8-5-05:

"SENATE CHAMBER, TWENTY-NINTH LEGISLATURE, AUSTIN

"Geo. B. Griggs, State Senator,

"Sixteenth District, Houston.

"August 5th, 1905.

"Dear Friend Otto:

"Congratulations! Your name is second on the Governor's list of appointments. Good. Doubt if I can be at encampment, as I intended to be out of the State about the 16th, and by the way, if there is anything I can do for you at this time please direct me, so that I can attend to it before my departure. Do not hesitate in commanding my services." (S-2241.)

Excerpt from Walter Gresham to San Antonio Brewing Association, 8-19-05:

"\* \* \* Did your friend who was going to Austin County find out how Mr. Trenckman and other of our friends in that county stand with regard to Paulus' race for the Senate next year? You will remember that you undertook to look into the situation and advise me." (S-2290.)

Letter San Antonio Brewing Association to Walter Gresham, Galveston, 8-20-05:

"Your letter has been received and I will answer the same fully tomorrow, but will state in the meantime that our Mr. Kauffmann stopped over in Bellville day before yesterday, but unfortunately Mr. Trenckman was not at home. I will try again as soon as possible and will let you know the result at once!" (S-2296.)

Excerpt from San Antonio Brewing Association to Walter Gresham, 8-21-05:

"\* \* \* As advised yesterday, I am sorry that our Mr. Kauffmann missed Mr. Trenckman, he not being at home, but I shall try again this week and will let you know promptly. I did not like to have it appear that he was going there for that purpose only. I think that we should have a meeting next week, as I will have to see Mr. Adoue, and in the meantime will notify Messrs. Onion, Stafford and Willacy to be prepared." (S-2302.)

Excerpt from San Antonio Brewing Association to Walter Gresham, 8-29-05:

"I beg to advise that I wrote Mr. Adoue yesterday in regard to a meeting in Galveston next Saturday, and I feel quite sure that I can get them all together in time. Mr. Onion is ready, I have telegraphed to Senator Willacy and will wire Senator Stafford today.

"In the meantime I beg to ask if you could not secure for me an annual pass over the Santa Fe Railway? I have been blessed in this respect by having been extended this consideration by all of the other railroads in Texas with that exception, and as I am vice president of the Ferro-Carril Minera de Jimulco, this would enable him to extend the favor officially." (S-2345.)

Letter San Antonio Brewing Association to Charles Schreiner, Kerrville, 9-5-05:

"I am advised that Judge Burnett will not be a candidate for reelection to the House for next Legislature. That being the case, although rather early, I beg to inquire if you have decided on any one, or know of a suitable person that we can get, my idea, of course, being to have a good strong anti from that section.

"I shall be pleased to have an expression from you, my idea being to help out in this respect all that I possibly can." (S-2367.)

(See S-2407.)

Excerpt from San Antonio Brewing Association to R. N. Stafford, Mineola, October 7th, 1905:

"\* \* \* I saw Mr. Onion yesterday and mentioned the proposed meeting for Saturday next, and I suggested that it be held in San Antonio. I wrote Col. Gresham in regard to the same, and I am sure that he will agree to meet with us here, and I will let you know promptly.

"What would you think of a House roll call in the next Legislature with the names of R. N. Stafford and Otto Wahrmund, and they responding?" (S-2413.)

(See S-2421, S-2425, S-2426, S-2434.)

Letter San Antonio Brewing Association to J. N. McCarty, Dublin, Texas, 10-15-05:

"I have not had the pleasure of seeing or hearing from you for a long, long time. How are you getting along, and how are the political conditions in Erath County? Are there any antis left, and at the proper time will any effort be made to rid your county of local option or prohibition?

"Who is your present Representative in the Legislature, and who do you propose to send there? Please let me hear from you as to these matters and oblige." (S-2438.)

(See S-2446.)

Letter San Antonio Brewing Association to George B. Griggs, Houston, 10-15-05:

"I beg to advise that the Texas Brewers' Association has established an educational bureau for the purification and consequently in the interest of the legitimate saloon business, and as a result we are asking the kind co-operation of our friends.

"You have been selected, and I have been requested to ask, that you kindly serve on this committee as Representative from your Senatorial District, and I sincerely hope that you will consent to set.

"We will not meet very often, but the next meeting will be held at Dallas, Texas, on October the 30th, at the Oriental Hotel, at 10 a. m., and I do hope that you will come, when you will be at once acquainted with our work." (S-2439.)

Letter San Antonio Brewing Association to Walter Gresham, 10-18-05:

"I beg to advise that Mr. Briscoe, the Medina County man, of Devine, Texas, as much as I can find out, is very doubtful as far as his anti-prohibition sentiments are concerned.

"I heard from Senator Willacy that Mr. Thomas, County Judge of La Salle County, has about made up his mind to run. This has been confirmed by other reliable information, and he can easily be elected! I expect to see Senator Willacy again about the last of the week, when I will at once tell him about the condition of affairs in that district.

"I expect to hear any moment from our Fort Worth friends, when I will promptly advise you.

"Mr. Kauffmann will return from Giddings tomorrow, and I will let you know the result of his investigations. I expect also to hear from our friend Mr. Hasler of Bastrop about Judge Paige, and will write you fully in regard to all about the end of the week, before I leave for Mexico." (S-2447.)



Letter, San Antonio Brewing Association to Walter Gresham, 10-19-05.

"Mr. Kauffmann has returned from trip to Giddings, and I have pleasure in transmitting the following information for your kind consideration, W. O. Bowers is an avowed candidate for the Senate, and is absolutely non-committal, so there is no use of saying any more about that. There is, however, another possible candidate provided that he can get the proper support, and that is a Mr. Q. U. Watson, an attorney, also of Giddings, but born in Washington County. He has certain assurances from Washington County already, is bound to get Lee County, and if he could be assured of the support of the leaders in Washington and Bastrop Counties, he would make the race.

"I know that if you will go up there, you could do a world of good, and could arrange this for Mr. Watson. If you go to Brenham, you should also, if you will permit the suggestion, go to Bastrop and see Mr. Hasler et al. I am sure that you are acquainted with Mr. Hasler, but if not, please let me know as soon as possible, and I will tell him all about you." (S-2450.)

(See S-2452.)

Excerpt from San Antonio Brewing Association to Walter Gresham, 10-19-05.

"It affords me pleasure to advise that I am in receipt of letters of acceptance from Senators Faust and Griggs, both of whom have signified their willingness and intention of meeting with us on Monday, the 30th, at Dallas. They are glad and willing to help us in our educational work." (S-2453.)

Letter, S. T. Morgan, Dallas Brewery, to Zane Cetti, Texas Brewing Company, 11-30-05.

"This is to advise you that a meeting of the Texas Brewers' Association will be held at the office of Adoue & Lobit, Galveston, Texas, at 10 a. m., Thursday, November 30th.

"The special object of the meeting is to discuss 'Reform Work,' but a general discussion of the associations' affairs, anti-prohibition, legislation and resources will be had." (TB-462.)

(See S-2548, S-2563.)

1906.

Letter, Walter Gresham to Zane Cetti, 1-5-06.

"I received your letter of the 2nd inst., this morning. While the candidates in the districts mentioned by you, are generally those for whom we have been working, there are some instances in which I think the parties mentioned, are not our friends.

"In the 8th district, the Hon. L. S. Sleuter will probably be elected. Although regarded as an 'anti' he is rather weak in the faith, but is perhaps the best material that we can get from that section of the State.

"In the 12th district, Smith County, the Hon. Cone Johnson is re-

garded by us as an 'anti' and our friends have been congratulating themselves upon the possibility of his becoming a candidate. I served with Mr. Johnson in the Legislature. He is one of the strongest men in the State and although a recent convert to Methodism, is still regarded by Stafford and others of our friends, as one of the best men we can get should he consent to be a candidate for the Legislature.

"Daniels, Yantis and Edwards are our candidates from the 19th, 20th and 41st districts, and of course we will do what we can to elect them.

"In the McLennan County district, we will know in a few days what course our friends will take in that county, but I am certain of one thing and that is that Terrell is not our man. He was in the last Legislature, and counted as one of the strongest opponents, for his ability, that we had. Mr. Onion is making arrangements in that county now with our friends to concentrate upon two strong men as our candidates. Will advise you as soon as the people act.

"Roger Byrnes and Lee Beatty are also our candidates and we must do what we can to elect them.

"The Erath County situation is one that we have been unable thus far to make satisfactory arrangements in. If you know of any 'anti' in that district who would become a candidate, and who stands any chance of being elected, would be glad for you to advise me.

"Senator Paulus will have no opposition, and of course is being supported by our friends.

"I found matters in Dallas County in a better shape than I anticipated. Our friends there are trying to bring out a man against Mr. Love. Mr. Nat Turner, I believe, may be induced to become a candidate. Will advise you as soon as our friends agree upon a ticket.

"I am glad to know that the labor party is not pledged to Mr. Love." (TB-481.)

(See S-2586.)

Letter, Union Banner, C. W. Woodman Editor and Proprietor, to Texas Brewing Company, 1-10-06:

"To have such laws enacted as will better protect the liquor interests than those we now have and to have such laws, or parts of laws, repealed, as are inimical to organized labor and the liquor interests. To educate the public so that it will favor instead of antagonize those interests.

"To put competent men in the field for this purpose and to establish a press bureau.

"To make contracts for the publication of labor news on these lines; to furnish all weekly papers with a column or more of such labor news as pertain to the local option questions; or, rather in the column or columns of news, there will be something each week pertaining to this subject.

"All bills will be framed up in such a manner as to make them labor bills.

"To employ members of the Farmers' Union and to keep them in the field while this controversy is on.

"All members of the incoming Legislature must be interviewed on labor subjects and their interviews, with photos, published in the weekly papers in their respective communities.

"To have introduced an 'anti' bill for which the liquor interests will openly fight, the labor bill to assume the form of being both a labor bill and a 'pro' bill.

"There must be vast amount of work done to arouse all working men to such a pitch that they will pay their poll taxes.

"What we want and must have is concerted action, and to get this will require the keeping constantly in the field competent men, visiting as often as possible the various unions. We must have men going from one Farmers' Union to another to show them what it would mean to them to have all of the breweries put out of business. We must have furnished us all data which will enable us to show how much labor is employed, how many children are dependent upon the breweries, upon the saloons, how much grain of all kinds are used, etc.

"Contracts must be made with the leading labor papers for such space as may be needed, for through them we shall be enabled to get published such matter as we may want in the country weeklies.

"The reason we lay so much stress upon the Farmers' Union is because we know they have discovered that when the city workmen are out of employment or not working for a good wage that they, the farmer, suffers correspondingly, and when we have a law enacted which will enable the farmer to have prohibition in his precinct if he wants it, he will then leave the cities alone.

"To educate the saloon men to know that if we are to succeed as we desire they must give home products the preference." (TB-494.)

Report of Walter Gresham, of Galveston, to breweries on legislative candidates, 1906:

"For January:

"District No. 8—Marion and Harrison Counties—L. S. Schluter, anti, a candidate. Work done among working men at Marshall and among farmers to insure his election, which now appears certain.

"District No. 12—Smith County—Cone Johnson, pro, a candidate. Trying to find strong men to oppose him. Right kind of man can beat him, as Johnson was a Cleveland Democrat and fought Bryan. Would like assistance in finding man to run against him. Will visit county soon.

"District No. 19—Victor Daniel, anti, a candidate. Have communicated with employes in lumber mills and written letters to influential farmers in his behalf. He will have opposition, but with proper effort he can be elected.

"District No. 29—Henderson County—R. E. Yantis, anti, candidate to succeed Gilliam, pro. Have communicated with influential farmers in behalf of Yantis.

"District No. 41—Freestone—R. M. Edwards, anti, candidate for re-election. Through personal and written communications have aided in preventing opposition and his re-election is practically certain.

District No. 59—Bastrop County—Roger Byrnes, anti, will be can-



didate for re-election. Personal visit to county develops some objection to him on account of his business, saloon keeper. Made personal trip over part of county with him and removed opposition of many influential farmers. His re-election now practically certain.

"District No. 60—Caldwell County—Lee Beaty, anti, candidate for re-election. Made personal trip through county in his behalf and by sending in literature can re-elect him.

"District No. 68—McLennan County—Three candidates, ex-Mayor McCulloch, Mr. Winter and Representative Terrell—all anti. Think best plan to unite on McCulloch and Terrell. An exchange of support will elect these two.

District No. 75—Erath County—Three pro candidates now in the field. Am hunting for strong anti candidates and if can find right man will be elected, as three pros will divide their strength. Very hopeful of sending anti from this county in place of a pro last time.

"By personal work and letter have aided in keeping down opposition to Senator Paulus and he now has a clear field.

"Harris County—T. H. McGregor, not announced, but will at proper time. Is an anti, and can be elected easily. Two others to be selected and am now hunting for suitable men.

"Tom Green County—J. G. Taylor. Strong man. Can be elected and will run if asked. Is an anti. Having pressure brought to induce him to run.

"Bell County—Huling P. Robertson will seek re-election. Has been fought in past because of his strong anti views. Have taken effective measures to stop this fight this year.

"Johnson County—W. H. Bledsoe strongest available man. Not quite sure about his views on prohibition. Will know in a few days.

"McLennan County—Bog Rogers, very strong anti. May be induced to run. Can be elected. Will make personal visit and line up situation.

"Jack County—Prevailed on farmers to put out candidate against Representative Daugherty, incumbent, who is strong pro. Will report selection soon. Little doubt of beating Daugherty.

"W. Dorsey Brown of Kaufman, a pro, and W. R. Holsey of Corsicana, an anti, both candidates for Senate to succeed Faulk, a pro. With proper effort can elect Holsey. Holsey has good record with both farmers and labor unions, while Brown's is bad with both.

"Would like a report on ex-Senator George W. Savage, now living in Denton County. He is a minister, but of the primitive kind, and have an idea that he does go exactly as pros want. Stafford will know. He can be induced to run for House from Denton County and be elected, while no avowed anti would stand any show at all.

"Capt. E. I. Kellie, an anti, is candidate for Senate in Beaumont district. If he is O K in other respects can give him enough support in Beaumont to elect him. Will visit there next week and report." (TB-498.)

Excerpt letter Otto Wahrmund, City Brewery, to George B. Briggs, Houston, 2-14-06:

"I am in receipt of your kind letter of the 11th inst. and note what you say. I have received kind words of encouragement from you as well as a number of other friends, and assuredly I appreciate your very kind expressions.

"Inclosed herewith I beg to hand you exchange for the sum of \$150, of which kindly acknowledge receipt." (S-2686.)

Report of Walter Gresham, Galveston, to the breweries on legislative candidates, 2-26-06:

"We have the following report to make since receipt of your letter of the 10th inst.

"You advise us that Mr. L. S. Schluter, rather weak anti, will run in the 8th District. We have been under the same impression until a few days ago when he told us that he positively would not be a candidate. Have not been able to suggest another man and would like suggestion as to suitable man, so that we can do some work for him.

"In the 12th District Cone Johnson is entirely acceptable to us and since you think he is alright we have advised our friends accordingly. We feared that since he had become a law-preacher that he would be against us. However, we are backing him on your assurance.

"Have made personal visits to Southeast Texas to help Daniels and Yantis and believe they will be elected. Visited Edwards' county early in the month and gave him valuable assistance. While we are giving Mr. Edwards all assistance possible his opponent, Mr. Wright, is also an avowed anti.

"We sent a trusted man to Erath County to bring out an anti and will have report from him in a few days. The three candidates in the field are pros and we are confident of landing an anti.

"Made personal visit to 76th District, formerly represented by Douglas, a pro. Both candidates are pros, but we conferred with the strongest man, Mr. W. A. Binyon, of Hood, who while a pro will vote to make separation desired and against high license bill. With our efforts he can be elected.

"Hill County—Graham, present representative, will be re-elected. He is a pro but a very close friend. Dudley Stevenson and Miles Stanley will contest for second place. Stevenson is an anti and Stanley a pro. A Mr. Clark and probably others will enter race within a short time. We are keeping in touch with situation and as soon as situation clears up will make definite suggestion.

"Bell County—Our information gathered on the ground is that H. F. Robertson will have no opposition for first place. He is an anti, but favors high license. Messrs. Savage, French and Culp are candidates second place. All three are represented to us as antis and we are advised that Savage has best chance of election. Would like advice from you on this county. We are very strong in this county and can probably give material aid to men agreed upon.

"Wood County—W. R. Blalock, present incumbent, anti, candidate for re-election, will have opposition. He is acceptable to us and with your assent will give him valuable assistance.

"Hopkins County—'Cyclone' Davis, Bertram and Nelson, all pros, will be candidates. While Davis is a noted pro he favors separating and will make his campaign on this issue. Would like advice—as we are strong here.

"One of our party is now making trip through Hopkins, Bastrop and Williamson Counties. Another is absent in Jefferson, Gregg and Ellis.

"69th Flatorial District—Kennedy, present incumbent. Will be opposed by Mr. Herring of Groesbeck. The latter is better man for you, though the former has good record with us; we are handling the situation in a way that will give thorough satisfaction to you.

"84th District—Sam Webb, incumbent, and candidate for re-election without opposition. Is a pro, but will vote for separation and against high license. Make no use of this now.

"Speakership race—We are keeping hands off—giving our attention to election of mutually satisfactory members of the Legislature. The speakership will take care of itself.

"88th District—G. S. Gray, pro, present incumbent—not a candidate for re-election. William Graham, of Mason County, a strong anti, is candidate. He is a Farmers' Union leader and will be elected.

"51st District—Stavinhoa, present incumbent, strong anti, candidate for re-election. Will have opposition. His record with us is good and we have sent proper literature into his district to help him and place him in favorable light.

"Events happening rapidly now and are spending much time on road. From this time forward will report every week or ten days, and possibly oftener." (TB-517.)

Letter, Otto Wahrmund, San Antonio Brewing Association, to Walter Gresham, 3-2-06:

"I am just in receipt of a letter pertaining to political matters from close friend of mine in Grimes County, written to me in the strictest confidence, nevertheless I feel it incumbent upon me to repeat a portion of the same to you, in turn, in confidence and will do so, he states:

"'Paget from Galveston is in this building closeted with Mr. Hayes Shannon and others, as I understand for the purpose of deciding upon a candidate for the Legislature. I do wish that I could see you this evening for a few minutes just to express myself to the extent of what fools we mortals can sometimes be. It looks like every time we begin to quietly arrange matters for the future, some fellow will step in and disarrange everything we try to do! If this fellow would stay in Galveston, we would be much better off. His presence here is generally heralded by some of our anti friends, and the pros know what is going on, and make considerable capital out of it. If we were let alone, think we could get a good, conservative man of our kind nominated to the Legislature, etc.'" (S-2324.)

(See S-2343.)

Letter, Walter Gresham, of the firm of Gresham & Gresham, Galveston, to Zane Cetti, 3-5-06:



"Many thanks for your interesting letter of the 2nd inst. I note what you state about Mr. Sleuter not becoming a candidate for the Legislature in the 8th legislative district. We have not been able to find out what strong and influential 'anti' will make the race in that district, but Senator Stafford informs me that he is looking after the situation there.

"In the 12th District, I am informed that Mr. Cone Johnson, though acceptable to us, will not make the race, and that some other 'anti', perhaps Mr. Lindsey, may be induced to become a candidate. Have you any positive information as to whether Mr. Johnson will make the race or not? Mine is that he will not.

"What you state in regard to the candidacy of Daniels, Yantis and Edwards, corresponds with the information I have in regard to their races.

"I have no definite information in regard to Erath County. Have thought it difficult to get a good man to run from that district. Hope you may be able to induce some strong, conservative and popular 'anti' to make the race in that district.

"In the 76th District I note what you state about W. A. Binyon voting with us for separating beer and whiskey, and also against HIGH LICENSE. Perhaps a man entertaining those views, would be the best we could hope for from that district.

"I have not been figuring on getting such a candidate from Hill County, but if you can succeed in getting Mr. Stephenson who you say is an 'anti,' to enter the race, we should bend all our energies towards securing his election.

"I understand the condition in Bell and Wood Counties to be the same as you do. In Hopkins County, Mr. Stafford is looking after the situation there.

"While Cyclone Davis may, as between whiskey and beer vote in favor of beer, yet my impression is that he will do all he can, to kill both of them. However, the situation there will be looked after, as I state, by Senator Stafford.

"In the 69th Floterial District, the best man by all odds for us to support, is Mr. Herring of Groesbeck, and I hope all of your efforts will be directed towards the support of Mr. Herring.

"I understand the situation in the 84th District as you do. In fact, had a long talk with Mr. Webb in Washington recently, and as he is being supported by our friends, presume we will have nothing to fear from him.

"In the 88th District, the information you gave me, is the most satisfactory I have received. I have written to Mr. Onion who is looking after matters in that district, calling his attention to the fact that Mr. Graham of Mason County, is an 'anti' and a candidate.

"In the 51st District, our friends there, under the lead of Senator Paulus, are trying to get a strong man out, but they have not yet succeeded in doing so. While Mr. Stevinhoa is an 'anti,' I am informed that he is not a very strong man, and our friends are trying to induce someone else to enter the race. Whoever is elected in that district, however, will be with us.

"Our friends everywhere are lining up for Judge Peeler of Austin for the speakership of the next House.

"Hope you will continue to furnish me such information as you may from time to time obtain." (TB-527.)

(See TB-557.)

Excerpt from G. H. Luedde, Aug. A. Busch & Co., to Zane Cetti, Texas Brewing Company, 4-14-06:

"If we can knock out the poll tax law, Mr. Onion feels confident that the next Legislature would pass a poll tax law that would be much more favorable to us than the one at present; that in all probability no poll tax law at all would be passed. It is a question as you understand that it is not compulsory, to pass a poll tax law, under the Constitution." (TB-566.)

Letter, A. S. Crisp, House of Representatives, State of Texas, Austin, to Col. Otto Wahrmond, San Antonio Brewing Association, 4-13-06:

"I would be pleased to renew with you the annual contract in the Daily and Weekly Star at \$50 which you were kind enough to authorize in my advertising column last year." (S-2411.)

Letter, San Antonio Brewing Association, Otto Wahrmond, to A. S. Crisp, Cuero, 4-20-06:

"Your favor of the 13th inst. is noted on my return from trip East, otherwise matter would have had attention before. Pardon the delay, please, and will state that we will be pleased to renew our annual contract with you." (S-2422.)

Letter, A. S. Crisp, House of Representatives, State of Texas, Austin, to Col. Otto Wahrmond, San Antonio Brewing Company, 4-30-06:

"Your remittance of \$25 in settlement of half a year's advertising in the Star has been duly received for which I thank you. Absence from home has prevented earlier acknowledgment." (S-2439.)

(See S-2458.)

Letter, Walter Gresham, Galveston, to Hon. Zane Cetti, Texas Brewing Company, 5-3-06:

"Your esteemed favor of yesterday just received, and in reply will give the information you desire in the order as requested.

"Ellis County: In this county, we are so hopelessly in the minority, our friends had determined not to take any part in the election, but if as you state Mr. James is in favor of segregation, we must get our friends to quietly support him.

"Colorado County: Mr. Ayres is an anti, and our friends in that county are supporting him, and doing what they can to keep down opposition.

"McLennan County: I, as well as other friends, have had several conversations with Mr. Terrell, and we are giving him our support, and thus far, he has no opposition. For the second place our report shows

that Mr. John G. Winter and Mr. Felix D. Robertson are candidates. Both of these gentlemen are antis, but I believe our friends will generally support Mr. Robertson. Mr. McCullough would be satisfactory to us, but my information is that he could not be elected, but as all of these candidates are antis, I presume we should take little interest in the election until further developments later in the campaign are made.

"Erath County: No developments in that county have been made, and I presume our friends will continue to support Mr. Blackman.

"Eastland County: In this county, my information is that Mr. M. G. Jackson, who is a member of the Farmers' Union, will probably beat Judge Frost, but that the political lines in that county, have not yet been clearly drawn. I have been trying hard to get Hon. C. U. Connellee, who served with me in the Legislature, to make the race in that county, but thus far he has declined to do so. Mr. Jackson is for segregation you state, and if that is the case, as between him and Frost, we should give him our support.

"Kaufman County: I have no reliable information from Kaufman County, and would be much obliged if you would post me from time to time in regard to situation there, as we have conceded that county to opposition, but if we can secure a party who will favor segregation, it would be a decided gain for us.

"Limestone County: Mr. Henry Ellis is an anti brought out by our friends, and we should do all we can to elect him.

"Sabine, Jasper and Newton Counties: Our friends in this district are supporting for re-election Dr. R. W. Chapman, my information is that Chapman is an anti, and Daugherty a pro. Chapman, however, is being supported by our friends.

"Hamilton and Mills Counties: I have known Mr. H. P. Clemens for many years, and while I regard him as a pro, he is a very conservative man. I would like if possible, for you to have him sounded upon the question of segregation.

"Bowie County: Our friends in this county have promised to bring out a strong anti in the near future. We will do what we can to defeat Dodd. I have a party now looking after the situation in that county.

"Freestone County: I have no definite information in regard to this county. Would like for you to post me in regard thereto.

"Grayson County: I have been unable in this county, to get friends to bring out a candidate. I was in hopes Mathis would be a candidate.

"Montgomery County: Llewellyn is our friend, and was brought out by the antis.

"Coryell County: My information in regard to this county is the same as yours.

"Milam County: Dr. Miller is our friend, and being supported by the most of our people.

"14th Senatorial District: There are four candidates in this district, namely: Pickett, Dies, Kellie and Ingraham. I have a party now in that district examining into the situation, and my impression is, that of the four candidates, Kellie will receive the support of our friends, but will advise you as soon as I get the desired information.



"9th Senatorial District: Holsey is being supported by our friends in this district.

"30th Senatorial District: Am glad to hear that Hanger will be elected.

"17th Senatorial District: In this district Masterson of Galveston, who is an anti, will receive the support of our friends here. Masterson of Brazoria, I believe, is an anti also. These two candidates are cousins, and the fight, I expect, will be quite spirited between them.

"28th Senatorial District: In this district the present incumbent, Hawkins holds over.

"6th Senatorial District: In this district our friends are supporting W. T. McKamey, the present incumbent, and I understand the fight will be quite a spirited one, and will require all of the efforts of our friends to elect Mr. McKamey.

"69th Representative District: Composed of the counties of McLennan, Falls and Limestone: Our friends are supporting W. C. O'Brien and M. Herring. Mr. Herring is running against A. M. Kennedy, the present incumbent.

"Parker County: I would be much obliged if you would let me know what is the situation in this county. Who are the candidates, and who will our friends work for there?

"Denton County: I understand that our friends in this county are trying to get Mr. Shelburn to run against Mr. Ray, who is a pro. Shelburn is reported as an anti.

"108th District: Tarrant, Denton, Wise and Cook Counties: Fitzhugh of Tarrant and O'Beirne of Cook are, I am told, both antis. Our friends, however, would like to see Fitzhugh elected if possible.

"Shall be glad to hear from you from time to time, as the information you gave me is very valuable in arriving at the status of affairs in your section of the State.

"As the organization of the next House of Representatives will be a matter of vital importance to us, our friends are making every effort to elect Mr. Peeler of Austin as Speaker. Hope you will do what you can for him." (TB-579.)

Letter, Otto Wahrmund, San Antonio Brewing Association, to O. F. Haley, Gainesville, 5-6-06:

"Your letter has been received and request noted, and I shall be only too glad of the opportunity to be of service and please so good a friend as you, and especially so in matters of this kind that concern a gentleman that is so outspoken an anti.

"I shall see Mr. J. F. Onion at once, who is well posted in matters of this kind, and I know that he will do all in his power for your friend Mr. Beirne." (S-2466.)

Letter, Otto Wahrmund, San Antonio Brewing Association, to Zane Cetti, Texas Brewing Company, 5-7-06:

"Your letter of the 4th inst. has been received, and I beg to thank you for the information! Senator Decker is a very particular friend of

mine, and has been our friend, 'as well as a friend of 'fair play' as long as I have known him!

"I shall find out through mutual friends the facts in this matter, and remain, with kind wishes." (TB-585.)

Legislative candidate report by Walter Gresham to the Texas Brewing Company, 5-8-06:

"Senators:

"14th District—Candidates, Dies, Pickett and Kellie. Found Dies O K and have given him assistance, two of us having visited his district. He will likely be elected. Race lies between he and Pickett, the latter a pro.

"9th District—Have made personal visit to district in behalf of Holsey, whose chances of election seem good.

"30th District—Did much effective work in Parker and Hood for Hanger and his election seemed certain until complications arose, which resulted in his withdrawal—which is to be very much regretted.

"18th District—Paulus' opposition having assumed a rather formidable aspect we went into his district and have done much work for him. Have given him valuable support in Yoakum, Wallis, Bellville and other railroad towns.

"Rep. Dist. 3, Representative conceded to Morris County and John E. Henderson has been nominated in special primary—so his election is certain. Don't know his views.

"Erath and Hood—Binyon, a pro, favors segregation and will be valuable man. Have done some work for him this month.

"Parker County—Candidates are Moran, Mosely and Ridgeway, all pros. Ridgeway is a less violent pro than Moran and is strong friend of one of us. Believe best course will be to concentrate on him and elect him. His chances were extremely good until Moran entered race at last moment, but if antis will unite on him can be elected.

"Denton County—Candidates are Ray and Walker. Walker certain to be elected. Haven't been able to learn his views.

"Hill County—Graham has no opposition for re-election, favors segregation. For second place candidates are Stanley and Stevenson. The latter will be elected.

"Erath County—In this county Faust has withdrawn and Robertson, another pro, has entered the race. Will still be best we think, to support Blackman.

"Limestone County—Have done all we could for Ellis, who is O. K. for us all.

"Sabine, Jasper and Newton—Candidates are Chapman, West and Carnes. Our information is that Chapman will win out. Our information agrees with yours that he is alright.

"Gregg and Smith—Candidates are Ward, Bonner and John E. Duncan. Ward is a pro, but favorable to segregation. Duncan is a strong man but a very active pro.

"Tyler, Hardin, Liberty and Chambers—Ellison is out of the race. Candidates are John L. Little and J. Thomas. Little formerly represented Bexar County in the House and was an anti. Our information

is that Little will be elected. Personal report will be made on him.

"105th District—Candidates are J. G. Witherspoon and T. J. Jones. Advise us about this situation at once.

"19th District—Candidates are Vic Daniels and F. O. Fuller. We have done our utmost for Daniels, but very much fear that he will be defeated, be particular here.

"Montgomery County—Have given personal assistance to Mr. Llewellyn and have no doubt as to his election.

"89th District—Candidates are S. E. Johnson of Hye and David Martin of Llano. Would like advice.

"Milam County—Candidates are Camp, Looney and Miller. At your suggestion have been giving active assistance to Dr. Miller.

"Clay and Jack Counties—Situation in this district has recently changed. Mr. Chester has withdrawn and Wester, Ballinger and Earle announced as candidates. Give us the information at once as we can do effective work in this district.

"84th District—W. E. McConnell of Palo Pinto has entered race against Sam Webb for re-election, Mr. Webb is friendly to us on segregation and we think a safe man. McConnell is also safe for us, being a very pronounced anti. Thus we can rest perfectly easy in this district.

"Replying to your inquiry about speakership choice of candidates in Erath and Hood will say that Binyon has refused to commit himself to any candidate so far. In Wise County Kirkpatrick has refused to pledge himself to Love. Chestnut of Henrietta has withdrawn—was for Love.

"7th Senatorial District—Marsh, pro, has withdrawn from race, leaving only Gree, who is an anti.

"Bexar County—Mr. Dowell has entered race against Onion. Suppose your information is more definite than ours.

"Give us all definite information possible at once. Time is short and as we are almost constantly in the field the time for real work has come.

"Ellis County—Alderdice and James, candidates for re-election without opposition and probably will not have any. Both are pros. James will favor segregation.

"Colorado County—Ayars candidate for re-election. Have given assistance in keeping down opposition and think will be successful.

"McLennan County—Please let us know as soon as possible if Terrell and McCullough are satisfactory, as suggested in former report, as we are anxious to do some work here and are delaying engagements in this county to hear from you.

"Erath County—Since your information corroborates ours that Blackman is an anti we have rendered him assistance and lined up several of our friends for him.

"Eastland County—Brelsford has determined finally not to run. Jackson and Frost are candidates, both are pros, but Jackson will favor segregation and with our help will very likely be elected.

"Kaufman County—Candidates are Rev. I. A. J. Nelson, a farmer, and Williams, an attorney at Terrell. Nelson is a prohibitionist, Williams' views not known. Nelson is a very conservative man, and well



informed political leaders in county say he will be elected. Is warm personal friend and as soon as possible will visit him and try to line him up for segregation.

"Limestone County—Candidates are Henry Ellis and Geo. A. Bell. Would like report on them.

"Sabine, Jasper and Newton—J. A. Daugherty of Kirbyville, a leading farmer and active member of Farmers' Union, is a candidate against Dr. Chapman, who is seeking re-election. Chapman is a pro, but favors segregation. Daugherty is an anti, so we will be safe in this district in any event.

"Hamilton and Mills—P. H. Clements of Goldwaithe, candidate without opposition; would like report on him, as we do not know his views.

"Bowie County—We understand that there is opposition to Dodd, present incumbent. Would like advice, as we are anxious to retire Dodd and expect to go to that county within two weeks.

"Freestone County—Candidates are Rev. J. K. Lane, Hon. H. B. Davis, ex-County Judge, and Hon. J. Ross Bell, present County Judge. One of us was for many years a resident of this county and can do good work there. Race lies between Bell and Davis. Whom do you prefer?

"Grayson County—Judge Wolfe and Gafford candidates without opposition for first and second places. Mathis for third place will, we understand, have opposition. We regard Mathis as very friendly to us and if acceptable to you will help him and place him under obligations. Moore of Vanals in.

"Montgomery County—Report on Llewellyn very gratifying, as he is our friend and we have done some good work for him and will do more.

"Coryell—Mears candidate for re-election without opposition. Is a prominent member of Farmers' Union, a pro, but favors segregation.

"Milam—Have visited this county and put in some work for Miller.

"Tarrant Floterial District—Fitzhugh, O'Bierne of Cook and Doyle of Denton candidates. Fitzhugh not acceptable. Doyle a pro. O'Bierne doubtful. Unless you have accurate information about O'Bierne suggest that we go into district and bring out a good man. Please advise us.

"Fourteenth Senatorial District—Candidates are Inhurn, Pickett and Dies. All are satisfactory to us. Advise us your choice at once, as we are going there in ten days and are holding our friends off until we get there.

"Ninth District—Candidates are Holsey of Navarro and Dr. Watkins of Kemp. Holsey has been our friend and is an anti. Know nothing of Watkins. Please advise us.

"Thirtieth District—All of us are doing all in our power for Hanger.

"Seventeenth District—Matterson of Galveston and Matterson of Brazoria are candidates. Don't know their views on matters affecting your interests. Our choice would be Matterson of Brazoria, as he was our friend several years ago when a member of the House. Advise

me about this as early as possible, as our friends are numerous in Galveston and are pressing us for information.

"Please advise us of your preference in the Twenty-eighth and Sixth Senatorial Districts.

"THE SENATE.

"There are two candidates for Stafford's place, Marsh and Greer. Either acceptable to us. Which do you want? Marsh is a safe man.

"Three candidates for Beatty's place, Ingram of Nacogdoches, Pickett of Liberty, Dies of Harden. Have not been able to get desired information. Can you give it?

"Judge Veale of Amarillo is a candidate against Decker. Decker has always been an anti until recently, but declares himself a pro. It will be a hotly contested election.

"Hudspeth will succeed Hill. He is a strong anti." (TB-579.)

Letter Otto Wahrmond, San Antonio Brewing Association, to Col. John L. Peeler, Austin, 5-12-06:

"I wired you this morning, and now beg to confirm as follows:

"Alone. Important be at brewery good old summer days! Make brewery visit very pleasant!" and I will and hope to have the pleasure of seeing you here." (S-2488.)

Telegram Otto Wahrmond, San Antonio Brewing Association, to Col. W. O. Gresham, Galveston, 5-18-06:

"Important you come Sunday, not tomorrow. Will explain reasons verbally." (S-2501.)

Letter Otto Wahrmond, San Antonio Brewing Association, to Col. W. O. Gresham, Galveston, 5-18-06:

"I wired you this morning, and now beg to confirm, as follows:

"Important you come Sunday, not tomorrow. Will explain reasons verbally."

"Which telegram I trust you received. As stated, I will explain to you verbally my reason for this request." (S-2502.)

Letter Walter Gresham, Galveston, to Col. Otto Wahrmond, San Antonio Brewing Association, 5-21-06:

"Referring to the letter received by me in regard to Mr. Bower's candidacy for the Senate, I find that the name of the party referred to is F. Raube of Giddings. Who the party is, you will doubtless know better than I do." (S-2517.)

Letter San Antonio Brewing Association to Sam Sitterle, Victoria, 5-22-06:

"I take the liberty of addressing you few lines on matters political. I am told that there is a party by the name of J. O. Pool who is a candidate for the House from your district, and I am also informed that he is an anti-prohibitionist, so beg to inquire if this is true, and if the party is friendly to our interests? Ordinarily we do not take any dish

in such affairs, but in the interest of our business, as well as in the interest of large majority of the good people of this State, and especially in view of the fight that the prohibitionists are making on us, particularly on the breweries, we are compelled, if we can encompass the defeat of any one of their number, to do so.

"Your district being largely anti, presume that we will have no trouble in electing Mr. Pool, if he is all right? I trust that you will kindly consider this letter in confidence, and favor me with an expression of your opinion as to conditions." (S-2520.)

Letter Otto Wahrmund, San Antonio Brewing Association, to Col. Walter Gresham, Galveston, 5-22-06:

"I beg to advise that Mr. Onion has had an interview or conference with Mr. Kauffmann, and the latter has posted him fully as to the results of his recent trip and Mr. Onion has promised to write you for me.

"Mr. Kauffmann has been sick in bed, but will be all right in a day or so, at which time it is my intention to send him back to Giddings for further investigation.

"Mr. Kauffmann reports that it is too late that Mr. Heilig has decided to run, and Mr. Kauffmann feels that it is very doubtful if friend Paulus can be elected. Mr. Paulus will be here the day after tomorrow, at which time I shall have a talk with him.

"I shall know about the Kerrville district in a day or so, also as to the Hays and Comal districts." (S-2521.)

Letter Otto Wahrmund, San Antonio Brewing Association, to Hon. D. A. Paulus, Hallettsville, May 22, 1906:

"In further relation to my recent favor, beg to state that Mr. Kauffmann returned Saturday last, but has been confined to his bed by sickness, and only got out this morning. I have had quite a long talk with him this morning, and find that he has learned a great deal in regard to political affairs in your district.

"There is to be quite a gathering of politicians in our city, and Col. Campbell will speak here Thursday next, and it is possible that you might want to come and hear him? If so, at the same time I would like to see you, as I would like to have you meet Mr. Kauffmann, and permit him to tell you personally as to conditions as he found them in your district." (S-2525.)

Letter Walter Gresham to Col. Otto Wahrmund, San Antonio Brewing Association, 5-25-06:

"I would like for you to advise me in regard to the various matters you undertook in our discussion on last Sunday to look after. Mr. Onion has written me in regard to the Senatorial race in Lee County, but nothing in relation to the other matters you were to investigate.

"Hope you will from day to day write me any information you may obtain." (S-2529.)

Letter San Antonio Brewing Association, Otto Wahrmund, to Col. Walter Gresham, 5-26-06:



"I am just in receipt of your esteemed favor of the 25th inst. and I regret delay in advice, but Mr. Onion promised me faithfully that he would write you all about Hays County, etc., and I am sorry that it was not done.

"Herewith letter from friend of ours in Edna, Texas, Mr. J. O. B. Young, which is self-explanatory, and I expect to get a letter from Mr. Sitterle of Victoria, Texas, in day or so in regard to Mr. Pool, and as soon as to hand will send it to you.

"Tomorrow I am going to Kendall, Kerr and Gillespie Counties in the interest of the Senatorship from this district and the Representative from the two (2) districts.

"Stafford has gone to see Senator Faust at New Braunfels in regard to representation from that district since the death of our good friend Capt. Kyle.

"Mr. Kauffmann will meet Paulus the latter end of the week. He is now at Refugio and will go from there to Port Lavaca, but has an appointment with Paulus, and will report to him personally as to the conditions as he found them in Paulus' district.

"Mr. Kauffmann tells me further that Mr. W. A. Trenkmann is out against Glenn in Austin County, and from present indications it will be a hard and ugly fight! He is very much afraid that if a third party should come out that both of them would be defeated." (S-2531.)

Letter Otto Wahrmund, San Antonio Brewing Association, to Hon. D. A. Paulus, Hallettsville, 5-26-06:

"I wired you this morning, and now confirm: 'Have written,' and in further relation thereto, beg to state that Mr. Kauffmann is now at Refugio, Texas, and will go from there to Port Lavaca, but immediately on his return will make an appointment to meet you here or any place that you may designate, and will then go over the situation in your district with you. I am leaving town tomorrow, and will not be here for a few days." (S-2538.)

Letter San Antonio Brewing Association to Sam Sitterle, Victoria, 5-31-06, requesting a reply to a "recent letter" on "matters political": (See S-2547.)

Letter San Antonio Brewing Association to Ernst. Reich, Lavernia, 6-6-06:

"I am advised that there are two (2) candidates for the Legislature from your district, George Martin from Atascosa County and a Dr. Johnson from Stockdale.

"I am well informed that Mr. Martin is an out and out anti, while Dr. Johnson is a pronounced prohibitionist! This being so, the good people of your district should do their utmost to defeat Dr. Johnson." (S-2563.)

Letter Walter Gresham to Hon. Zane Cetti, Texas Brewing Company, 6-6-06:

"I understand that Mr. Bledsoe, who had announced for the Legislature from Johnson County, has declined to run. I have written to Mr. Morgan requesting him to see if he can find some strong 'anti' to become a candidate in that county. Perhaps you can send some one there to look over the situation and get our friends to bring out a candidate for the Legislature. Please confer with Mr. Morgan in regard to the matter, and your united efforts, you may succeed.

"The situation in Parker County looks to be hopeless, but perhaps you might through some of your friends induce a strong 'anti' to offer for the Legislature from that county. The candidates who are now offering the Democratic nomination are all 'pros.' The situation generally throughout the State is more favorable than it was two years ago, but our friends are woefully lacking in enthusiasm and stamina in many sections. Shall be glad to receive any information you may have in regard to the candidates and their opinion upon our issues, from any section of the State." (TB-614.)

Letter, Walter Gresham, Galveston, to Col. Otto Wahrmund, San Antonio Brewing Association, 6-7-06:

"I am this morning in receipt of a letter from Senator Paulus, who is making a vigorous campaign, which both he and I think essential in order to overcome the influences that are behind Mr. Heilig's candidacy. Can you not have your friends in that district go actively to work in behalf of Senator Paulus' election? Are there any other of our friends besides yourself who are doing business in that territory? The fight there is against Paulus on account of his opposition to a uniform high license and in favor of separating beer from whiskey. The complications in Austin County are accentuating his troubles.

"I would like for you to give me such information as you may have from time to time in regard to this district, particularly who are the respective supporters of Paulus and Heilig. I desire this information, as I may later in the canvas go to that district and see what I can do with my friends in behalf of Paulus.

"I see the fight is on between Watson and Bowers in the Lee Senatorial District. What have you learned in regard to the campaign and status of these two candidates?" (S-2570.)

Letter Walter Gresham to Col. Otto Wahrmund, San Antonio Brewing Association, 6-7-06:

"I enclose you a memorandum of the different points upon which we would like to have legislation at the next term of the Legislature. I would suggest that you have copies of them made and placed in the hands of your confidential traveling men and get them quietly to ascertain in the various counties in which they may be the opinion of the several gentlemen who are running for the Legislature. Have them report to you what the candidates state upon each one of the six matters, and then you can report to me. In this way I may be able to ascertain before the election how a majority of the candidates stand upon these various propositions. Of course, there will be gentlemen who will agree to some and disapprove of others. Let your Repre-

sentative note in each case the ones approved and those disapproved. The memorandum is tentative in so far as the language to be employed in framing the bills are concerned. The proposed amendment to the Sunday law (3rd) will probably meet with more opposition than any of the other propositions, but it only affects a few of the towns in Texas, in most of which the Sunday law is now openly violated." (S-2571.)

The memorandum referred to in the last above is as follows:

**"WE FAVOR LAWS EMBRACING THE FOLLOWING:**

"No 1st.—Amend the present local option law so as to give the 'antis' the same rights under the law that the 'pros' have.

"No 2nd.—Give the citizens of any county or precinct the right to vote to exclude alcoholic liquors, and to retain in such county or precinct beer and light wines containing no more than three and a half ( $3\frac{1}{2}$ ) per cent of alcohol.

"No 3rd.—Amend the present Sunday law and give to cities of ten thousand (10,000) inhabitants and over the power to regulate that subject within their respective limits.

"Yes 4th.—Amend the present laws so that in case of a conviction for violating any of the conditions of the liquor dealer's bond the license shall be forfeited and a jail penalty imposed in addition to the present penalties.

"Yes 5th.—Maintain the present differential between the licenses for selling whiskey and beer, and oppose a **UNIFORM HIGH LICENSE LAW**.

"Yes 6th.—To oppose all tax legislation discriminating against the brewing interests in this State." (S-2572.)

Letter San Antonio Brewing Association, Otto Wahrmond, to Col. Walter Gresham, 6-8-06:

"Both of your letters are to hand this morning with enclosures, which I have noted.

"Our Mr. Kauffmann, who has been in the Watson and Bowers, also in the Paulus districts, ostensibly on beer business, but on the quiet to ascertain all that he could in regard to matters political and the standing of the various candidates, will return here tomorrow, and I will confer with him further and write you fully.

"Noting list of what is desired to be attained, beg to state that as far as clauses Nos. 1, 2 and 3, or sections whatever they may be termed, I do not think that they can be carried out, not for love, money or under any circumstances could any power on earth in my opinion at the present time, accomplish what is desired and stipulated therein!

"As far as sections 4, 5 and 6 are concerned, that is a different matter, and I anticipate no trouble in accomplishing what is outlined therein!" (S-2576.)

Letter San Antonio Brewing Association, Otto Wahrmond, to Col. Walter Gresham, 6-9-06:

"I beg to hand you herewith for your information letters from my friend Mr. E. C. Reich of Lavernia, and one from Mr. Houston of



Floresville, both of which are self-explanatory. This pertains to the race for the Legislature in the Wilson County district, and I understand that our friend Mr. Martin will beat Dr. Johnston, that the latter has no show. Kindly return to me the letters, and oblige.

"Mr. Kauffmann is back here this morning, and will state that he is a very close friend of Mr. Gus Heilig of LaGrange, also Mr. Jake Wolters. He met the latter on the train, and he was very outspoken in regard to his attitude on the 'uniform high license' matter. I do not know, but I think that he feels a trifle sore at friend Onion on account of the fight made on the Pullman Company, which he represents in legal capacity. If that is all, we can easily straighten that out, and I have so informed Onion.

"The Paulus-Heilig matter is a very delicate one in my opinion. Paulus has been our friend for years, and is my particular friend, and while Heilig has not had an opportunity to show his friendship to us in a political way, still I feel confident that he would be friendly, for he was our agent at LaGrange for several years, and I am inclined, in fact, compelled, to believe that he would do all that he could for us, and if so, I believe that it would be advisable for us to lay low, so to speak, and keep out of this fight. If you are inclined, under the circumstances, to help Paulus and did it in an indirect way, it would not be so bad, but to go into that district and make an open fight in his behalf, I question if this would be advisable for us to do? Furthermore, I really believe that it would be a serious mistake on our part, for Mr. Kauffmann, who is well acquainted in that whole district, is firmly of the belief that Heilig will beat Paulus! I am in favor of returning Paulus, but the question as to whether it would be advisable for us to make this fight is one that we must consider very seriously." (S-2578.)

(See S-2582.)

Letter Otto Wahrmund, San Antonio Brewing Association, to Charles Lux, Selma, Texas, 6-11-06:

"We have received reliable information that a combination fight of the PROHIBITIONISTS of Texas will be made on the Hon. J. F. Onion in order to prevent his re-election from Bexar County to the House of Representatives at Austin, Texas, at our next election, to-wit.: AT OUR NEXT PRIMARY ELECTION!

"We have it on the best of authority that the leaders of the PROHIBITION party in this State will spare neither time, money or methods in order to accomplish the defeat of the Hon. J. F. Onion, and their object in doing this, as you may be aware, is the fact that the Hon. J. F. Onion, as one of our Representatives in the Legislature, has taken a very active interest in behalf of the liberal people of the State, and has done as much, perhaps more, to encompass the defeat of the prohibitionists and the passage of all obnoxious and sumptuary laws than any one else for years past!

"This being the case, it is our DUTY, and we should all put our shoulders to the wheel, and not only go to the PRIMARY elections our-

selves and vote against his opponent, but to take an active interest and see that our friends do the same!

"We cannot impress this on you too strongly, for the defeat of the Hon. J. F. Onion, under the circumstances, would be a calamity to all the liberty-loving people of Texas!" (S-2589.)

Letter Walter Gresham, Galveston, to Col. Otto Wahrmond, San Antonio Brewing Association, 6-13-06:

"I am informed that in the Eighty-ninth Legislative District, composed of Gillespie, Llano and Blanco Counties, there are two candidates, S. E. Johnson and David Martin. Please advise me if I am correct in this and which of the two gentlemen our friends are supporting. I have both of them marked as 'antis' with an interrogation mark.

"I note what you state in your letter of yesterday in regard to the legislation suggested in paragraphs 1, 2 and 3 of the memorandum I sent you. I do not agree with you in your opinion about our ability to adopt either of these propositions. They are both right, and I believe with a vigorous fight we can carry certainly the first, second and possibly the third. The suggestion in the second paragraph is by far the strongest of the three, as there are many pros who are committed to that change. I go to Houston tomorrow to confer with young Hume, who is running for the Legislature from that district. From there I will go to North Texas to look into the situation there and return home the first part of next week. I hope you will continue to keep me posted from time to time of the situation." (S-2598.)

Letter Walter Gresham to Zane Cetti, Texas Brewing Company, Fort Worth, 6-13-06:

"The information contained in your favor of the 11th inst. is substantially as that received by me.

"Fourteenth Senatorial District—My information is different from yours in this district. The contest seems to be between Pickett and Kellie, both of whom are being supported by some of our friends, but I believe that each is an 'anti.' I do not think that Dies is in the race at all, and would suggest that you hold off doing anything more in this district until our friends have had an opportunity to get together.

"Ninth Senatorial District—In this district all of our friends, as stated by you, are working for Holsey and hope to be able to nominate him.

"Thirtieth Senatorial District—I have never heard any rumor to the effect that Hanger had withdrawn from the race. I cannot believe it. It would put us in an awkward position, and besides, when I saw Hanger last (a week or two ago) he felt confident of election. I hope the rumor is not true.

"Seventh Senatorial District—My information in regard to the race in that district is the same as yours. Mr. Greet is our candidate, and has, I understand, no opposition.

"Eighteenth Senatorial District—In this district our friends are divided, as both Mr. Paulus and Mr. Heilig are antis, but my information is that Heilig is bought by the whiskey interests. Paulus is a much stronger man than Heilig, and has had more legislative experience. He is our friend in every particular, and we should do all we can to elect him. I hope you will use your influence in that direction in every way possible.

"Third Representative District—Like you, I am not posted in regard to the political views of John M. Henderson, but I am inclined to believe he is a pro.

"Parker County—I expect to go to Parker County in a few days, or rather to Mineral Wells, and will confer with our friends in regard to the situation in Parker County. Ridgeway would certainly be no worse than Moran, and from the information I can get in regard to young Ridgeway, he is a young farmer, and contains much better material for making a legislator than either of the other two candidates. I will confer with our friends in that county and advise you further.

"Denton County District—I have no definite information in regard to the Denton County district, but presume I will have it in a short time.

"Hill County District—Here the conditions are as stated by you. Stephenson, who is running against Stanley for the second place, is regarded as our friend, and the antis will, I believe, give him their support.

"Limestone County District—Ellis is our man in that district, and we are doing everything we can to elect him.

"In the Sabine, Jasper and Newton district, Chapman is our man, and we are doing everything we can to elect him.

"Gregg and Smith District—Duncan is a strong man and a pro, and I see no show of our defeating him.

"Tyler, Hardin, Liberty and Chambers District—Our man, as suggested by you, is Little.

"One Hundred and Fifth District—Witherspoon is an anti and our friends will support him. I have had a conversation with him upon the subject, and hope you will do what you can to promote his election.

"Nineteenth Legislative District—While many of our friends doubt Daniel's ability to defeat Fuller, yet I am inclined to think that he will be nominated. We are aiding him in every way we can.

"Montgomery County District—Llewellyn is our friend and we are supporting him.

"Eighty-ninth District—I am not advised in regard to this district, as Messrs. Onion and Wahrmond are looking after it. I will give you the desired information soon as possible.

"Milam District—We are supporting Dr. Miller.

"Clay and Jack District—Our friend Mr. Morgan has been looking after this district. Our friends there, I believe, are supporting Wester.

"Eighty-fourth District—Our friends in this district advise us to 'hands off.' I will go to Palo Pinto County Friday evening and look into the situation in person.

"In the Bexar County District, I understand the whiskey interests



have brought out opposition to Mr. Onion, but he writes me that he feels confident of winning." (TB-616.)

Letter San Antonio Brewing Association, Otto Wahrmond, to Col. Walter Gresham, 6-14-06:

"I have yours of the 13th inst., the contents of which I have noted. Johnson is an anti, but Martin is doubtful. I understand, however, that the latter has no show, in fact, it is question if he will be able to carry his own county, Llano.

"It is getting quite 'warm' here, especially in the race for Representative. They are making a very hard fight on Onion, and undoubtedly outside influences are being brought to bear. We have no fear of the result, at the same time do not propose to take any chances, and are doing all in our power not alone to re-elect him, but to do so with a handsome majority.

"I suppose that you have noticed that J. E. Grinstead is running for Legislature in Kerrville district? He is a good personal friend of mine, have known him for years; he talks all right and I am assured by Capt. Schreiner and other friends that he is absolutely all right." (S-2606.)

Letter Dallas Brewery, S. T. Morgan, president, to Walter Gresham, 6-18-06:

"I did not leave for El Paso as I expected to do on account of illness in the family of our El Paso Representative. Hence I will be here all the week and while I don't want to trouble you too much, still I think it very important that you see Col. Shaw soon as possible and get him straightened out in Everett's behalf. Everett is making a very hard campaign, but he has no organization to speak of, and without this you know he cannot win. Hence the importance of getting Shaw lined up, and he will be a great help to Everett in organizing." (D-258.)

Letter Walter Gresham, Galveston, to Col. Otto Wahrmond, San Antonio Brewing Association, 6-19-06:

"I suppose you noticed from the press reports this morning that Bowers and Watson have signed an agreement to leave the question of who shall be the Democratic nominee for the Senate from that district to the voters of Lee County? How do you understand each of these gentlemen to stand upon various propositions? Your friends can obtain this information, and I would like for you to get it and furnish me with the same at your earliest convenience. In the flotorial district of Lee and Washington Counties there are two gentlemen running, one I N. Storey and the other H. F. Schlosson. Please investigate and advise me which of these two gentlemen our friends will support. I would also like to find out what you know in regard to the legislative situation in Austin County. I see from the papers that both Trenkmann and Glenn have submitted their names to be voted for at the primaries.

"I spent last Friday and Saturday in North Texas. Matters are lining up and the fight in both the Dallas and Tarrant districts are

going to be close. However, I rejoice over this for the reason that it is making our friends come boldly out on most of the propositions. I talked to Mr. Everett and he was full of the fight, and very enthusiastic, although I am not certain that he will beat Love. In Fort Worth matters are now in pretty good shape, although up to a few days ago the pros were making desperate efforts to get Hanger and Lattimore to withdraw from the race in favor of the Parker County man, the only man being a Mr. Alexander, who is a strong pro. Hanger and Lattimore at one time agreed to leave the selection to Parker County, but our friends insisted that Mr. Hanger could not now withdraw and leave the race to a pro, which he acquiesced in, and will, I think, beyond a doubt be elected." (S-2614.)

Letter Otto Wahrmund, San Antonio Brewing Association, to Col. Walter Gresham, 6-20-06:

"I am just in receipt of yours of the 19th inst., and replying, beg to state, as I wrote you before, that Messrs. Bowers and Watson are both absolutely all right.

"In the Floterial District of Lee and Washington Counties, H. F. Schlosson is the man that we want.

"In regard to the legislative race in Austin County, beg to state that we have almost positive assurance that our friend Mr. Trenkmann will be elected. Our Mr. Kauffmann has made two trips in these sections only recently, and I am quite sure that we can depend on the information which he has imparted.

"Our friend Mr. Joe Houston of Floresville was here just the other day, and I had a long talk with him. We are confident of being able to beat Dr. Johnson with Mr. Martin, a pronounced anti, in that district, but I am sure that I gave you all this information before." (S-2618.)

Letter Otto Wahrmund, San Antonio Brewing Association, to Hon. Walter Gresham, 6-21-06:

"I had a talk with Mr. Onion in person this morning and he informs me that it is of the utmost importance that you go to Fort Worth as soon as possible and carry out his (Onion's) suggestion relative the candidacy of Mr. Fitzhugh.

"Mr. Onion laid special stress on this, the importance of your so doing, as Mr. Fitzhugh will be of great help to us, more so now than every before." (S-2619.)

(See S-2621.)

Letter Otto Wahrmund, San Antonio Brewing Association, to Col. Walter Gresham, 6-23-06:

"I am just in receipt of your favor of the 22nd inst. and note contents. In regard to the race of Messrs. Johnson and Martin in the Llano district, beg to state that I am reliably informed by parties who should know, and I am confident that they do know, that Martin has no show. If he should by any manner of chance carry Llano County he can't possibly carry Blanco or Gillespie, and I am also told by those same

parties that it is extremely doubtful if he will be able to carry his own county, Llano, as I advised you before.

"I just got a letter from Mr. Ragsdale, the partner of Senator Paulus, touching on what Mr. Kauffmann was supposed to have done, and as you refer to Mr. K. in your letter, for your information I enclose carbon of my reply thereto.

"In regard to Panola County, beg to advise that I do not know any one up there, consequently I am not in a position to do anything." (S-2622.)

Letter Otto Wahrmund, San Antonio Brewing Association, to J. W. Ragsdale, Hallettsville, 6-23-06:

"Your letter of the 22nd inst. is to hand and contents noted. Mr. Kauffmann is not here, but I KNOW that there is some misunderstanding about this matter, that he should address himself against Mr. Paulus in the interest of Mr. Heilig in your district!

"As soon as I heard that Mr. Heilig thought seriously of running, knowing that Mr. Kauffmann and he had been close friends for years, I sent him (Kauffmann) to LaGrange and he tried his best to get Mr. Heilig to withdraw from the race, but Mr. Heilig claimed that matters had gone so far that it was impossible for him to do so, which we all regretted very much. Especially so at this moment, when we have two men, both good friends, entertaining the same views on matters so important to the people of Texas, and especially so to our section! Furthermore, Mr. Kauffmann well knows that I was very anxious to get my friend Paulus to stand for re-election long before Mr. Heilig had announced, and I sincerely hoped that he would.

"Since dictating the foregoing letter, beg to state that I spoke with Mr. Kauffmann over the phone and cannot speak positively and authoritatively when I tell you that you have been misinformed." (S-2623.)

Excerpt from a letter Otto Wahrmund, San Antonio Brewing Association, to W. F. Blum, Temple, 6-24-06:

"It hurts us to be treated that way, as we feel that we do not deserve it, and we feel further that we can say you know that we have done more in the interest of the liberty-loving people of this State than any other concern either in or out of it, and to give the business which must naturally result from this loan to a concern who or which has notoriously never contributed a dollar to help out either in the local option or prohibition fight, or in defeating adverse legislation, makes it doubly hard." (S-2625.)

(See S-2822.)

Letter, S. T. Morgan, Dallas Brewery, to H. Hamilton, Houston, 6-25-06:

"Referring to conversation just had with you over the phone, will state that in my judgment it will be a mistake for Captain Paget to assist the party you mention in a financial way, for Gresham is familiar with conditions here, and I think nothing should be done without his approval.



"Especially should Captain Paget be more careful, as the party's opponent has already made the statement that Captain Paget was putting up money to defeat him, and that the money was coming from the Brewers' Association. This is absolutely untrue but may have the effect desired by the opponent of Captain Paget's friend, hence you will see the importance of having all matters handled through Col. Gresham. Later on Captain Paget can possibly help out considerably with the labor people, but money is unnecessary in this case and I advise against it, as my experience has been that the labor people who will accept money, have no real influence, and cannot control the rank and file of the labor vote, as such votes are cast as a whole and from a standpoint of principle and not through any influence of leaders that are known to be getting paid for their talk." (D-281.)

(See S-2638.)

Letter, J. F. Onion of Onion & Henry, San Antonio, to Otto Wahrmond, care of City Brewery, 7-22-06:

"I have a letter from our friend Blanton of Gainesville, saying that he will be under many obligations if your agent there would deliver him a case of beer, and if you can see your way clear to do so I am sure that he will appreciate same.

"By the way, our friend Johnson, of the Gillespie district, writes me that his friends need stirring up in the district, especially in Llano County, as Martin is quite active. As you know, Martin is a pro and I beg to suggest, that if you have not already done so, that you write your friends in Blanco and in Llano in his behalf." (S-2640.)

Letter, J. H. Autrey, Gonzales, Texas, to San Antonio Brewing Association, 7-3-06:

"I write you in behalf of Mr. C. K. Walters, who is running against Y. W. Holmes for Representative. You will remember that you wrote me several times to see that Holmes had opposition.

"Mr. Walters is a fair minded man and stands well in this county, and I think the outlook for his nomination is very favorable, but his financial strength is weak, and a few of his friends have been compelled to assist him, and as the campaign is just now warming up, and as he will have a certain expense to meet, thought perhaps you would like to render him some assistance. If so just mail check for whatever you donate to me and I will see that it is turned over to him.

"I believe it would be a good idea for you to send your traveling agent here on the 20th so as to be here the Saturday before the election, as he might put some enthusiasm into the saloon men so that they will turn themselves loose the last week." (S-2648.)

Letter, Otto Wahrmond, City Brewery, to J. H. Autrey, Gonzales, Texas, 7-4-06:

"Your letter of the 3rd inst., is to hand and noted. If you think that it would do any good, would accomplish anything, an exception might be made and arrangements perfected for \$50 stated purpose.

"Your suggestion, however, in regard to having a traveling representative call, stated purpose, would, I believe, be a very serious mistake, for I am positive that your local people would resent the interference of a stranger particularly a representative from a brewery, mixing up in their local affairs." (S-2650.)

Letter, J. H. Autrey, Gonzales, Texas, to Otto Wahrmund, City Brewery, 7-6-06:

"Your letter of the 4th received, and contents very carefully noted. And after a second thought think you are right in regard to sending your agent here.

"I note that you say arrangements can be made for \$50 stated purpose which will be gratefully received, as I am satisfied it will assist to accomplish much. And as we only have three weeks to work in, your prompt attention will greatly oblige." (S-2654.)

Letter, G. A. Hoilig, on letter-head of "Staats-Gross-Loge von Texas," at LaGrange, to Otto Wahrmund, City Brewery, 7-6-06:

"How is it, that your Mr. Walter Gresham is making speeches for Dave Paulus in Austin County? Why doesn't he stay in his own district? Or are you all supporting him? In Moulton, Flatonia, etc., Paulus accused me of being the candidate of the whiskey ring and the brewery interests, and last Saturday at Fayetteville he stated that I was the candidate of the prohibitionists and the high license people!

"If you all are taking sides in this campaign, as you have a right to, I'd like to know it." (S-2655.)

(See S-2660, S-2665.)

Letter, S. T. Morgan, Dallas Brewery, to Walter Gresham, Galveston, 7-6-06:

"Enclosed find letter from Mr. J. M. Mitchell of Terrell, Texas, who it would seem is campaign manager for Mr. Sargent. I also enclose copy of my letter to Mr. Mitchell and will state that I know very little about him except I am inclined to believe he is a little bit windy. I will try and see some parties well acquainted in Kaufman County and it is possible I can get some information from them." (D-303.)

Letter, Otto Wahrmund, City Brewery, to W. E. Welford, Eagle Lake, 7-13-06:

"We are in receipt of your favor of the 12th inst. with enclosed letter as advised, which we beg to return herewith, and we note your intentions.

"While our special expense of late by reason of donations for various purposes, throughout the State, has run up to a very large amount, and notwithstanding the fact that it is costing us thousands to fight the prohibition and local option craze, as well as to ward off adverse legislation, still, we appreciate what you gentlemen are doing and we are going to contribute the amount which you ask for, viz: \$25." (S-2676.)

Letter, Walter Keeble, Elgin, to San Antonio Brewing Association, 7-16-06:

"I enclose herewith copy of telegram, 10 o'clock a. m., handed by myself to operator:

"Notice of withdrawal will be publicly expressed through the county papers; also private notification sent to the loyal by letter." (S-2678.)

Letter, Otto Wahrmund, City Brewery, to Walter Keeble, Elgin, Texas, 7-17-06:

"I am in receipt of your esteemed favor of the 16th inst., with enclosure as advised, which I have carefully noted, and I desire to thank you very much indeed for your disinterested kindness.

"I appreciate your action surely, and if I am ever in a position to reciprocate, I trust that you will not hesitate to command me." (S-2680.)

Letter, F. D. Griffing, Athens, Texas, to S. T. Morgan, Dallas Brewery, 7-18-06:

"Walter Halsey of Powell, and Dr. Watkins of Kemp are running for the Senate from this district, composed of Henderson, Kaufman and Navarro Counties.

"R. E. Yantis and John Mobley is a pro—both of them live here. A man by the name of Riley, of Brownsboro, is also running, but am told race is between Yantis and Mobley, and will be close." (DB-309.)

(See S-2684.)

Letter, Otto Koehler, San Antonio Brewing Association, to Otto Wahrmund, at the time in Mexico, 7-24-06:

"There is nothing new especially at the brewery, but politics are getting RED HOT! I have had two conferences with Callaghan, and I think that he will be able to get out of it all right without committing ourselves to the support of his ticket straight. That I told him we could not consistently do, although we were willing to help him otherwise, still, we could not take such a positive and determined stand, we had several friends among the opposition whom we could not afford to antagonize, and I finally made him see matters in that light, and everything is all right.

"They are making an awful nasty fight on Onion, but the last reports that we have from the Sixth Ward, it seems that they are coming our way, and it is safe to say that we will be able to deliver that ward over to our friends." (S-2695.)

(See DB-314.)

Letter, Otto Wahrmund, San Antonio Brewing Association, to Zane Cetti, Texas Brewing Company, 8-6-06:

"I am told that you are very close to the next two (2) Representatives to the Legislature from that district? If this is so, I would appreciate your kind assistance in having them take some interest and ask their support of the candidacy of my particular friend John Peeler for Speaker of the next House." (S-2725.)



Letter, H. Prince, Secretary and Treasurer American Brewing Association, to Thos. McGee, beer dealer, Richmond, Texas, 8-9-06:

"We desire, or rather request of you, that you should, not only yourself, but your friends, to interest themselves in behalf of the coming convention that is to be held for Waller and Fort Bend Counties in the election of candidates for the Legislature. We understand that Waller County has selected delegates composed of prohibitionists and that Fort Bend County will have the casting vote for the two counties. As you are well posted and know the different delegates that have been chosen for the convention, we would earnestly request that you use your influence to see that wherever a prohibitionist is put before the people that he should not be elected, and as Fort Bend County has the key to the situation, we would thank you to let us know what you and your friends can do in the matter." (A-1677.)

Letter, Otto Wahrmund, San Antonio Brewing Association, to Col. Walter Gresham, Galveston, 8-9-06:

"I beg to advise that Senator Stafford has been down to Rockport recuperating for few days, but will return today in all probability. Mr. Onion is in Fort Worth, but will be back Saturday. Senator Willacy is available and ready at any time, so I would suggest as the best time to meet Sunday morning next in San Antonio, and then, if any of you gentlemen desire to attend the convention in Dallas, you could go there from here? Please wire me on receipt of this letter, if this is agreeable?" (S-2735.)

(See S-2743.)

Excerpt from letter of Dallas Brewery to Mr. Thos. F. Keeley, Chicago, 8-14-06:

"The Democratic State Convention meets here today and the town is well filled up and owing to the complicated election law passed at the last session of the Legislature, the warmest scrap in the history of the body is looked for. Our people are well lined up and we have the pronounced prohibition and local option candidate already beat, and he is the last man in the race. Our friends are fairly well distributed among the other three candidates, and we have little to gain or lose in the selection of either one. I had a talk yesterday with Col. Walter Gresham of Galveston, Texas, who is at the head of our organization, and he is inclined to favor my views as the count in the next Senate and House is going to be too close to risk an issue and he tells me that we have enough friends that we can count on to defeat the high license proposition. This I have always considered the most dangerous proposition that confronted us, especially in the present condition of the State's finances in that it is reported that when the Legislature meets there will be a deficiency in the Treasury." (D-320.)

Excerpt from letter of B. Adoue, of the Texas Brewers' Association, to Zane Cetti, Texas Brewing Company, 8-28-06:

"The employment of Mr. W. B. Fitzhugh has been under consideration and Mr. Gresham will endeavor to secure his services for our

cause, before making any move in that direction, please consult Mr. Gresham." (TB-646.)

The breweries kept a record of all candidates for the Legislature and numbered and classed them as one might classify and set apart sheep and cattle and horses. Some they numbered and marked "Anti," some "Pro," and others "Pro, doubtful," etc. Illustrative of this the following letter taken from the files of Texas Brewing Company, Fort Worth, Texas, is set out in full. It speaks for itself:

"Galveston, Texas, 31st Aug., 1906.

"Law office of Walter Gresham, Cotton Exchange Building, Rooms 3 and 5. Hon. Zane Cetti, Fort Worth, Texas. My Dear Sir: I believe you have a copy of the 'Dallas News' giving a list of the parties nominated, and from that you will be able by referring simply to the numbers of the representative districts, which I will give you, to find the postoffice address of the various nominees. I would give you these addresses if I had them. I only can give you the nominees in their respective districts, which I will now proceed to do.

- "1. 1st Legislative District: J. A. Dodd, Pro.
- "2. 2nd Legislative District: C. E. Terry, Pro.
- "3. 3rd Legislative District: John M. Henderson, Pro.
- "5. 4th Legislative District: J. E. Sperry and Clarence Sperry, both Pros.
- "6. 5th Legislative District: C. A. Shelby, Pro.
- "7. 6th Legislative District: Walter A. Nelson, Pro.
- "8. 7th Legislative District: Hardy A. O'Neal, Pro.
- "1. 8th Legislative District: L. P. Wilson (of Marshall), Anti.
- "2. 9th Legislative District: W. M. Blalock, Anti.
- "9. 10th Legislative District: M. M. Smith, Pro.
- "3. 11th Legislative District: W. R. Blalock, Anti.
- "12th Legislative District: Have no information. Pro.
- "13th Legislative District: John M. Duncan (doubtful).
- "4. 14th Legislative District: J. W. Stanford, Anti.
- "10. 15th Legislative District: F. L. Young, Pro but considered doubtful.
- "16th Legislative District: S. M. King, Anti, but doubtful.
- "11. 18th Legislative District: J. T. Borgard, Pro.
- "5. 19th Legislative District: Joe Holshousen, Anti, and F. O. Fuller, doubtful Pro.
- "12.
- "6. 20th Legislative District: Dr. R. W. Chapman, Anti.
- "7. 21st Legislative District: Joe W. Thomas, Anti.
- "8. 22nd Legislative District: T. J. Adams (Orange), Anti.
- "10. 23rd Legislative District: D. B. McInerney and Clay S. Briggs, Antis.
- "11-12-13. 24th Legislative District: Charles F. Hume Jr., J. R. McGregor and J. T. Brown, Antis.
- "13. 25th Legislative District: J. C. Ralston, Pro. In this district, which is Republican, John J. Mahan has been nominated by Republicans.

"14-15. 26th Legislative District: A. T. McKinney and W. H. Driggers, both Pros.

"16. 27th Legislative District: Ike Daniels, Pro.

"17. 28th Legislative District: J. J. Strickland, Pro.

"18. 29th Legislative District: J. R. Mobley, Pro.

"19. 30th Legislative District: John T. Curry, Pro.

"20. 31st Legislative District: I. A. J. Nelson, Pro.

"21. 32nd Legislative District: C. E. Gilmore, Pro.

"22-23. 33rd Legislative District: R. D. Thompson and W. B. Hamilton, Pros.

"24-25. 34th Legislative District: J. A. Thomas and Sam Rayburn, Pros.

"26-27. 35th Legislative District: J. A. L. Wolf, B. F. Gafford and W. S. Moore, all Pros.

"29-30. 36th Legislative District: T. O. Murray and T. J. Bowles, Pros.

"31-32. 37th Legislative District: Thos. B. Love and E. C. Lively, Pros, and Claud McCullum, Anti.

"14.

"15. 38th Legislative District: J. D. Cox, Anti.

"33-34. 39th Legislative District: J. M. Alderdice and B. F. James, Pros.

"35-16. 40th Legislative District: R. S. Neblett, Anti, and S. J. Jennings, Pro.

"36. 41st Legislative District: J. Ross Bell, Pro.

"37. 42nd Legislative District: Geo. A. Bell, Pro.

"38. 43rd Legislative District: S. W. Dean, Pro.

"39. 44th Legislative District: J. G. McDonald, Pro, but doubtful.

"40. 45th Legislative District: W. C. Davis, Pro.

"17. 46th Legislative District: W. D. Crockett, Anti.

"18. 47th Legislative District: H. F. Schlosser, Anti.

"19. 48th Legislative District: J. R. Helsep, Anti.

"20. 49th Legislative District: In this county there are two Antis running, C. C. Glenn and W. A. Trenkman.

"21.

"22. 50th Legislative District: J. C. Kindred, Anti.

"23. 51st Legislative District: Emil Geiptner, Anti.

"24. 52nd Legislative District: R. M. Brown, Anti.

"25. 53rd Legislative District: Wm. C. Austin, Anti.

"26. 54th Legislative District: J. P. Pool, Anti.

"27. 55th Legislative District: A. S. Crist, Anti.

"28. 56th Legislative District: C. K. Walter, Anti.

"29. 57th Legislative District: Emanuel Roos, Anti.

"30. 58th Legislative District: J. R. Kubena, Anti.

"31. 59th Legislative District: W. E. Orgain, Anti.

"32. 60th Legislative District: Lee Beaty, Anti.

"33-34. 61st Legislative District: J. L. Peeler and James H. Robertson, Antis.

"35. 62nd Legislative District: S. D. Davis, Anti.

"41. 63rd Legislative District: F. D. Love, Pro.



- "42. 64th Legislative District: E. A. Camps, Pro.  
"36. 65th Legislative District: J. W. Goodman, Anti.  
"43. 66th Legislative District: Clifford Braley, Pro.  
"37. 67th Legislative District: C. Bartlett, Anti.  
"38-39. 68th Legislative District: H. B. Terrell and S. E. Stratton, Antis.  
"40. 69th Legislative District: W. C. O'Bryan, Anti, and A. M. Kennedy, doubtful.  
"41-42. 70th Legislative District: Hulen P. Robertson and H. B. Savage, Antis.  
"71st Legislative District: T. R. Mears, doubtful.  
"44-43. 72nd Legislative District: Chas. A. Ingraham, Pro, and J. D. Stephenson, Anti.  
"45. 73rd Legislative District: I. A. Patton, Pro.  
"46. 74th Legislative District: Thos. S. Wade, Pro.  
"75th Legislative District: J. T. Robertson, Anti, but regarded as doubtful.  
"44. 76th Legislative District: Jess Baker, Anti.  
"77th Legislative District: R. Bona Ridgeway, doubtful; this party lives in Parker County and I would be glad if you would try and find out how he stands.  
"45-46. 78th Legislative District: A. G. Baskin and W. P. Lane, Antis.  
"47. 79th Legislative District: W. S. Ray, Pro.  
"48. 80th Legislative District: R. E. Carswell, Pro.  
"47. 81st Legislative District: Wm. L. Blanton, Anti.  
"49. 82nd Legislative District: R. L. Cabell, Pro.  
"83rd Legislative District: J. I. Ballinger, don't know.  
"48. 84th Legislative District: W. E. McConnell, Anti.  
"85th Legislative District: M. G. Jackson, Pro, but doubtful.  
"86th Legislative District: E. C. Gaines, said to be Anti.  
"87th Legislative District: Phil Clements, doubtful Pro.  
"49. 88th Legislative District: Joe A. Adkins, Anti.  
"50. 89th Legislative District: S. E. Johnson, Anti.  
"51. 90th Legislative District: Wm. Geison Sr., Anti.  
"52. 91st Legislative District: Sam Dale, Anti.  
"53-54. 92nd Legislative District: J. F. Onion, T. D. Cobbs and W. A. Cocke, Antis.  
"55. 93rd Legislative District: Geo. M. Martin, Anti.  
"56. 94th Legislative District: Russell Savage, Anti.  
"57-58. 95th Legislative District: J. T. Conales and C. F. Elkins, Anti.  
"96th Legislative District: S. D. Beach, doubtful, but Chas. Pierce has been nominated by the Republicans and will probably be elected.  
"59. 97th Legislative District: John T. Brisco, Anti.  
"60. 98th Legislative District: J. E. Grinstead, Anti.  
"61. 99th Legislative District: J. F. McKinzie, Anti.  
"62. 100th Legislative District: Chas. Davis Jr., Anti, Democrat, and J. J. Stewart, Republican nominee.  
"50. 101st Legislative District: A. C. Wilmuth, Pro.

"63. 102nd Legislative District: W. B. Wilman, Democratic nominee, Anti, and M. E. Harnish, Republican nominee, Anti.

"51. 103rd Legislative District: W. J. Bryan, Pro.

"52. 104th Legislative District: A. P. Dimmet, Pro.

"64. 105th Legislative District: J. G. Witherspoon, Anti.

"65. 106th Legislative District: J. R. Bowman, Anti.

"52-65.

"53. 107th Legislative District: C. H. Jenkins, Pro.

"66. 108th Legislative District: J. T. O'Bierne, Anti.

"67. 109th Legislative District: G. F. Fowler, Anti.

"If you have any information in regard to how any of these parties in your section of the State stand upon the question of separating beer from whiskey, I would be much obliged if you would give me their names and what information you may have in regard thereto. Yours very truly,

WALTER GRESHAM."

"Pro, 53; Anti, 67; doubtful, 13; doubtful districts, 12, 13, 16, 17, 69, 71, 75, 77, 83, 85, 86, 87, 96." (T-665 to 670, inclusive.)

Dallas Brewery on September 25th, 1906, received the following communication from B. Adoue, chairman:

"For your thoughtful consideration, I send you herewith a copy of memorandum of laws the Brewers' Association proposes to have passed by the next Legislature.

"A meeting will be called early in October to discuss the subject. and each member will be expected to bring with him a written acceptance or a counter proposition.

"The next session of the Legislature will do something and the brewers must be prepared to present this side of the question, by stating what they want.

"Now is the time for us to agree upon a plan of action. Please call a meeting for Friday, October 5th, at the office of Lobit 10 a. m.

"A copy of the memorandum and of this letter will be sent to all the members." (TB-694.)

(See D340.)

Letter from Walter Gresham to Otto Wahrmund, 8-25-06:

"After leaving you on Friday last, I called upon Mr. Ward, and we were in conference several hours over the proposed legislation agreed upon by us. The constitutional questions suggested by me to you, and also other questions suggested by Mr. Ward were gone into as fully as we could under such circumstances. I have formulated at Mr. Adoue's request, the several points agreed upon by us, arranging them in order a little different from the memoranda kept by you and myself, but containing in substance, the same provisions. I enclose you a copy which please examine, and let me know if it does not carry out the points agreed upon by us." (S-2821.)

Letter from Walter Gresham to Zane Cetti, Texas Brewing Company, 9-2-06:

"I am informed that Mr. Baskin is counted among the supporters of Mr. Love for Speaker of the next House. I wish you would see some of the gentlemen who were instrumental in the nomination of Mr. Baskin and see if they cannot induce him to give his support to Mr. Peeler.

"Mr. Adoue states that he has called a meeting of the Brewers' Association to meet in this city next Friday, at which time I hope to see you and to discuss this matter more fully." (TB-699.)

(See D-371.)

Letter from Houston Ice and Brewing Company to Z. Cetti, Texas Brewing Company, 9-6-06:

"I have had the license bill drafted in which I think there are some very good features and perhaps some bad ones. But I know the license question is going to be a very hard one before the next Legislature, and the brewers might as well make up their minds that they will have to make some concessions to the prohibition party. Therefore, I would like for you to read this over and see what you think of it. Have your attorney draft another form of license that would, perhaps, be more suitable so that we may be able to discuss it at our next meeting." (TB-706.)

(See TB-709.)

Excerpt from letter of Walter Gresham to Zane Cetti, Texas Brewing Company, 11-14-06:

"While we may not be able to get much affirmative legislation, I feel confident that no uniform high license law will be passed by the next Legislature. Can you not get our friends to bring your Senator in line with us, and also get Mr. Baskin to support Mr. Peeler?" (T-713.)

Excerpt from letter from Walter Gresham, Galveston, to Col. Otto Wahrmond, San Antonio, 10-9-06:

"I have written to Mr. Willacy to know when it would be convenient for him to meet you, Onion, Stafford, Paulus, Pendleton and myself. I would suggest that we meet about the 26th or 27th of the month, when we can devote some time to discussing the program that we are to pursue before the next Legislature.

"I congratulate you upon the success of our candidate in your section of the State.

"Since writing the above, I have received a letter from Paulus, suggesting a meeting to be held on the 16th. I would suggest that we meet either on the 16th or the 26th inst. here or in San Antonio, as may be agreed upon. Let me know how this will suit you. Have written Mr. Willacy on the same subject." (S-2884.)

(See S-2887, S-2888, S-2891, S-2893, S-2898, S-2900, S-2901, S-2904.)

Letter Walter Gresham to Zane Cetti, Texas Brewing Company, 10-29-06:

"I am informed that Mr. Jesse Baker of Granbury, who was elected from that district as a member of the next Legislature, is undecided



as to whether he will support Mr. Peeler for the Speakership of the next House. I wish you would do what you can, through your friends, to get Mr. Baker to give Mr. Peeler his support.

"I understand that Mr. Ridgeway of Parker County is also doubtful as to who he should support. As both of these gentlemen live in your section of the State, I presume you have friends and connections both in Hood County and in Parker County who can, perhaps, influence one or both of these gentlemen. I hope you will give the matter immediate attention and advise me. I leave Sunday night next for Washington and would like, if possible, to have this information before leaving." (TB-721.)

Excerpt letter B. Adoue, Texas Brewers' Association, to Zane Cetti, Texas Brewing Company, 12-11-06:

"At present Mr. Ward of San Antonio is preparing a memorandum of laws to be presented to the next Legislature, the first paragraph reads, 'Amend the law so as to provide that liquor containing less than 4 per cent alcohol shall not be construed to be intoxicating liquor.'

"I am urging the completion of the memorandum, on basis agreed upon between Mr. Gresham, Mr. Wahrmond, Mr. Ward and half dozen of our influential friends, and as soon as ready, I will call a meeting of our members to pass upon it, approve, add, subtract or reject, as they may see fit.

"Fort Worth Record, when the paper started, I subscribed \$7,500 stock, which I divided among my friends as an investment. It did not carry any actual promise of support to our interest, but I know, or think I know, that Mr. Ousley is friendly to our cause, but I have long ago discovered that it is not the head manager of the newspaper who controls matter printed. When I want special favors I see the subaltern." (TT-83.)

Excerpt letter B. Adoue, Texas Brewers' Association, to H. Prince, Houston, Texas, 12-19-06:

"Strenuous times are in store for us at Austin during the next Legislature session, the regulation of liquor traffic will play an important part, and unless our industry is well represented some drastic laws will be passed.

"The committee on 'high-grade policies' has been looking for a strong man, so far without result. One may be discovered at the last moment, but prospect not very flattering. Of course, all members of the Legislature will not be favorable to the destruction of the brewing industry, but a large number will be for high license." (A-1776.)

Letter from Walter Gresham to Zane Cetti, Texas Brewing Company, 12-28-06:

"I see that the friends of Senator Bailey have named Mr. Cunningham of Abilene as the opponent of Mr. Hawkins for the Senate. I hope you and our other friends will do all you can in Mr. Cunningham's behalf. He is our friend as well as Bailey's. You will understand the situation." (TB-735.)

1907.

Excerpt San Antonio Brewing Association to Messrs. Onion & Henry, San Antonio, 1-3-07:

"Your letter of the 2nd inst. has been received, and I fully note contents. Your services have been entirely satisfactory and in appreciation of same, also of your friendship personally, it is with more than ordinary pleasure that I hereby give you notice of renewal of contract for your services for the year 1907." (S-2952.)

Excerpt San Antonio Brewing Association to B. Adoue, Texas Brewers' Association, 1-4-07:

"Mr. Wahrmond wired and wrote you in regard to the proposed meeting, also as to the derelection of Judge Ward in drawing up proposed bill. I did not like this delay at all, and so expressed myself and in no unmeasured terms. He promised to attend to it, and he well knew that it was of sufficient importance to have given it his undivided attention. If he found, for any reason, that he could not do so, then he should have so stated, not put it off, and then leave for a week to attend court and other matters, and leave this very important matter to us to the last minute and until after the Legislature convenes. It was not right, and had I known that this would be the case, you may rest assured that I would have gotten some one else to draw up the proposed bill, and thus have been saved this very annoying delay." (SS-12.)

Letter from B. Adoue, Texas Brewers' Association, to S. T. Morgan, Dallas, 1-5-07:

"After several postponements, the 10th, next Thursday, has been fixed for a meeting of the association, to take place 10 a. m. at office of San Antonio Brewing Association, San Antonio. Please impress upon all the members the necessity of being present at the meeting and to be prepared to remain two days, as matters of the UTMOST IMPORTANCE will be discussed; the very life of our association will be involved.

"One of the principal items of discussion will be legislative action. Mr. Ward is now preparing laws to be advocated by our friends in Austin." (D-387.)

Excerpt from letter written from Austin by C. W. Woodman to Zane Cetti, Texas Brewing Company, 1-8-07:

"Very little can be done for several days that could form a report. Following election of Speakers comes minor offices, which will consume time.

"Love elected almost 2 to 1, and in his speech of acceptance sounded a note of warning for benefit of his enemies. Montgomery is here. He, Peter and I consulted today and decided it best by all means for you to have bill prepared. Several good reasons for this that will be explained.

"It must be managed so our interests in measure will be purely unselfish. But for Speakership controversy would have a walkover. Haven't slightest doubt but the bill, strictly on its merits, would meet with very little opposition, for there is no argument against it, but men's minds can be prejudiced against the truths, and we have this to watch. Your partisan friends must be circumspect in all they do or say.

"You will be kept in closest of touch with actual conditions. Please use unofficial envelopes when corresponding. We cannot afford to take chances; the measure is one that ought to be fought in the open by all who would subserve best interests of the people." (TB-738.)

Letter from Carl Kirchner, El Paso, to Houston Ice and Brewing Company, 1-23-07:

"I enclose herewith a map of El Paso showing the restricted saloon district under the new charter for the city, which is now before the Legislature for passage. If you have been reading the papers from here you will know it meets with a great deal of opposition and will be fought bitterly. It cuts out four saloons, one of them yours and three using San Antonio beer. While they are small beer places, at the same time it will be a loss now, and when the city grows larger it will prevent the opening up of a great many more. I have marked with red ink around the two saloon districts as proposed; also showing the places that will be cut out. I am sure our friends here will ask your influence at Austin to prevent the passage of this new charter, and in return for this will help you to defeat the high or uniform license law if it is again brought up for consideration. Please let me know how you feel about it." (S-2985.)

Excerpt from letter from Houtson Ice and Brewing Company to Carl Kirchner, El Paso, 1-25-07:

"Yours of January 22d received; also map of the city of El Paso with red lines indicating the proposed saloon district, all of which is very interesting.

"We shall certainly oppose with all our influence the incorporation of such a clause in the El Paso new charter." (S-2998.)

Autrey enclosed copy of the last above to San Antonio Brewing Association with the following letter, 1-25-07:

"Please note the herewith enclosed copy of letter received today from Mr. Carl Kirchner, also copy of my reply thereto.

"The district assigned for saloons is very small according to the map as marked by Mr. Kirchner and practically makes El Paso prohibition. We must certainly defeat this measure. Please put this matter in the hands of your friends in the Legislature." (S-2999.)

Letter from the San Antonio Brewing Association to Autrey, 1-26-07:

"Noting your favor of the 25th inst., with enclosure, beg to state



that we had received a similar letter from Mr. Kirchner and I had already done some work in connection with the same.

"I will go to Austin on Monday next and it will then have my further attention, and I shall follow it up more in detail." (S-3004.)

Letter from W. P. Linthicum, Dallas, to Thos. P. Stone, Austin, 1-23-07:

"I herewith enclose you copy of our mechanics' lien bill which we are very desirous of having enacted into law during the present session.

"I feel very grateful to you for the assistance you rendered us two years ago as also do our people generally, but I am now not sorry the bill did not pass. For it was very imperfect. Since then I have been at work on the bill and as a result of two years' study of the matter, the one I now hand you is just what we want.

"I have, with the assistance of Hon. G. Senter, as we think, perfected it, from a constitutional standpoint. We crave your assistance at the present session, and I assure you that if the bill meets your approbation, we feel confident of your support.

"My friend, Senator Senter, is directly in favor of the bill and will introduce it in the Senate. Kindly jog the memory of Mr. Senter and impress upon his mind the necessity of the early introduction of this bill.

"We have committees appointed and when the bill shall have been introduced, and referred to a committee, we would be glad if you would notify us so we could go before it and present our claims for a favorable report.

"There is another matter coming before the present Legislature to which I desire to call your attention. It is the high license bill providing for a tax upon beer dealers. If this bill is enacted into law, it will practically put the breweries out of business and not only result in a virtual confiscation of their millions of dollars of investments, in Texas, but throw out of employment thousands of working men.

"This is a movement leading up to the State prohibition and having known you favorably and well for many years, I do not believe you would hesitate in lending your vote and influence towards the defeat of this measure.

"Organized labor throughout the State is now at work on this matter and will memorialize both the House and Senate asking the defeat of the bill." (S-2987.)

(See S-2989.)

Excerpt from letter O. Paget, Galveston, Texas, to Otto Wahr-  
mund, 1-24-07:

"I will come to San Antonio personally and Austin, but I should not take a part too prominent in the movement. I will put W. P. Linthicum and perhaps Mr. Dean, who have been representing labor at the head of the movement and especially so, since Mr. Linthicum has been appointed by the Amalgamated Trades Union to advance the

interest of the 'mechanics' lien' I enclose you copy of telegram, which has been sent to various and sundry Senators and Representatives. You need have no fear that this thing will not be handled carefully or that we will do anything which will not be ready to stand the most rigid investigation. The laboring men of Texas have a right to protect their interest even if it does help the brewers' association, it is nobody's business." (S-2996.)

Excerpt from J. F. Onion of San Antonio, and a member of the Legislature, to Zane Cetti, Texas Brewing Company, 1-28-07:

"I send you copy of the bill of McGregor's regulating the liquor traffic. What do you think of it? Am inclined to think that we could set the bill for a hearing and have the liquor people be heard on the subject." (TB-743.)

(See D-395.)

Excerpt from letter from H. Prince to J. F. Onion, Austin, 1-28-07:

"We have yours of the 24th and indeed thankful to you for same. We have been waiting to receive the copy therein stated, but up to this writing have not received same.

"No doubt, the brewers will have a meeting as soon as the bills that are now before the Legislature is reported on wherein a line of action will then be determined. I am inclined to believe that Mr. Wahrmund will be at the head of our organization in outlining a policy of action." (A-1815.)

Letter from C. W. Woodman to Mr. Zane Cetti, Texas Brewing Company, 1-29-07:

"Believe matters are progressing satisfactorily. Prospects are that segregation will be a welcome compromise for all measures. Anticipate strenuous work from whiskey people.

"There will be something definite very soon." (TB-744.)

(See SS-15, SS-16.)

Excerpt from letter of O. Koehler to Mr. Paget, Galveston, Texas, 1-31-07:

"I note who our friends are in Austin, and will have pleasure in doing as you suggest." (S-3016.)

Excerpt from letter Paget to Otto Koehler, San Antonio, 2-1-07:

"Your valued favor of the 31st to hand. You may not be interested in this effort to get labor unions to protest against the passage of a uniform high license bill but I beg to say that I have, at present, before the House enough petitions to represent fully fifteen thousand men and will make it fifty thousand before I finish." (S-3017.)

Letter from San Antonio Brewing Association to Paget, Galveston, Texas, 2-2-07:

"I am just in receipt of your esteemed favor of the 1st inst. and note carefully contents.

"Rest assured that the assistance of the labor unions is highly appreciated and I am interested to great extent in the movement referred to, and cannot understand how you could for a moment think to the contrary.

"I received a phone message from Austin this morning, asking that I come over there immediately to attend to some urgent matters, and as I have but about an hour left in which to catch the train, it will be impossible for me to write at length touching on other matters or subjects, only will state that Mr. Linthicum was in to see me this morning and I talked matters over with him, also let him have the sum of \$100 for which we will make draft on you. He is getting up everything in good shape and expects to leave for Austin tomorrow afternoon, and Chris Callan will leave for the same place this afternoon." (S-3020.)

Excerpt from letter from S. T. Morgan to Zane Cetti, Texas Brewing Company, 2-5-07:

"Concerning the Love inspection bill will state that this bill was introduced by Mr. Love of Williamson County, but I believe I recognize in the introduction of the bill the 'fine Italian hand' of Mr. Love from this city, who as you know is now Speaker of the House, and no friend of the breweries, whom he has by appealing to prejudice tried to use as a stepping stone to advance his political interest. This bill seeks to tax the breweries about 20 cents per barrel on their output and is a very unjust measure, but it is one that appeals to the boys from the forks of the creeks, and we may have hard work in defeating it entirely but I feel satisfied it will never go through at the present rate. Mr. Baskin's bill which is a very fair measure, seeks only to regulate and does not increase the amount of the license is set down as a special order to be called up today at 2 o'clock. Our opponents will seek to substitute for this bill the McGregor bill which you will note from copy enclosed is a very vicious measure and that it changed entirely our license system and places absolute power to grant or refuse license in the hands of one man; mainly the County Judge. You will readily see the danger in the adoption of this system of obtaining license as the corrupt politician and grafter would at once grasp the opportunity to not only gather in all kinds of money but to build up a political machine especially in the large cities that would be almost invincible. I called some of our friends' attention to this particularly dangerous point in the bill and am sure it will be strongly attacked on the floor of the House.

"Another very dangerous measure applying to all corporations has been introduced by Senator Looney and reported favorably by the committee. This measure is known as Senate Bill No. 15, and I regret that I have only one copy of the bill which I expect to turn over to our business men's club for action, and I would suggest that you wire your Representative to send you a copy of the bill and that you see the



business men of your city and get them to take the matter up at once." (TB-746.)

(See T-748.)

Excerpt from letter San Antonio Brewing Association to B. Adoue, Galveston, 2-7-07:

"Your letter of the 6th inst., with enclosures as advised, is to hand and carefully noted.

"No, I had not heard such a report about you. All that I did hear about the matter to which you refer was what Onion told me. The latter stated to me that Mr. Briggs had shown him a letter in which you stated just what you advise me now in the letter which you enclosed, viz: That the breweries would not object to a reasonable increase in the amount of the license, provided that the State absolutely needed it, that it was purely a question of the necessary revenue, and after showing the letter to Mr. Onion, Mr. Briggs added: 'You see from that Onion that the breweries want this themselves, and would not object to an inspection fee and tax of 30 cents per barrel, as it would not hurt them any, etc.,' so that this will show you how a perfectly innocent remark is likely to be misconstrued, especially when people have an object in so doing. This, however, staggered friend Onion, more particularly so taken in conjunction with the remark of our good friend Mr. Hamilton of Houston, who told me also that a tax of 30 cents per barrel was reasonable, who, by the way, considering that he is the author of the McGregor bill (introduced by request) could not be expected to say anything else." (SS-18.)

Excerpt from letter B. Adoue, Texas Brewers' Association, to R. L. Autrey, secretary, Houston, 2-7-07:

"I will leave for San Antonio Saturday night, and yourself or Mr. Hamilton, or both, should go there also, in fact it might be advisable to have there Mr. Luedde—Morgand & Co.—if you agree, arrange for the meeting by wire, first consulting Mr. Koehler—also bearing in mind that at our last meeting at San Antonio a resolution was passed, placing Mr. Wahrmund in charge of all legislation work; I am willing to give him absolute control—'too many cooks spoil the broth.'" (S-3029.)

(See S-3030.)

Excerpt from letter San Antonio Brewing Association to B. Adoue, Texas Brewers' Association, Galveston, 2-8-07:

"I think the Baskin bill the better of the two with some exceptions, which with slight amendments could easily be straightened out, and which, I feel sure, would not prove objectionable to Mr. Baskin; however, as Mr. Hamilton has just wired me asking if it would be agreeable to meet here on Sunday, that he had wired all of the others, and as I have answered in the affirmative, I hope that all will be represented here at time indicated, and we can then discuss this matter more fully." (SS-19.)

Letter, Louis J. Wortham to Zane Cetti, Texas Brewing Company, Fort Worth, 2-12-07:

"I received your communication. It was brimfull of good stuff. The situation here is not at all to my liking. However, I will be pleased to go into details more fully when I see you and that opportunity will be afforded on my arrival in Fort Worth tomorrow.

"Have arranged to have House and Senate Journals sent you each day for the remainder of the session." (TB-750.)  
(See D-402.)

Letter, Otto Wahrmond to Zane Cetti, Texas Brewing Company, Fort Worth, 2-15-07:

"I wish that you would be good enough to do all that you can, and I believe that a nice, strong letter to your Representatives at Austin would prove the most effectual, asking that they kindly lend us their aid, and in fact do all they can to defeat the beer inspection bill for while so termed, it is really a tax on the breweries.

"While there are a great many opposed to it, still it is our desire to have especially the various Representatives from the brewery cities not alone to vote against it, but to do all the work that they can in opposition to the bill. It is likely to be brought up at any moment, at any rate, I feel confident not later than next week, so it is imperative that whatever is done that it be accomplished at once, so will very much appreciate your writing, as suggested, at once!" (TB-752.)

Telegram from J. D. Montgomery, Austin, to Zane Cetti, Texas Brewing Company, Fort Worth, 2-20-07:

"Don't be uneasy; everything all right; letter follows." (TB-753.)

Excerpt from letter H. Prince, Houston, to Otto Wahrmond, San Antonio, 2-16-07:

"I herewith beg to enclose copy of letter I addressed to each of our Representatives and have also written Duncan of Tyler, whom I have known and thought to be liberal-minded but sorry to note that he has turned to be a pro. If you can get acquainted with him I think an explanation and showing him that as he always was liberal-minded on affairs of personal liberty ideas, he is now too old to change or try to inflict punishment on those who differ with him, would be glad to hear from you frequently, with kind regards, I remain." (A-1822.)

Excerpt from letter San Antonio Brewing Association to Frank C. Blaine, Del Rio, 2-17-07:

"\* \* \* Some of them in the saloon business seem to forget the great expense that we have incurred, and the hard work which has been and is being done by the writer to prevent the passage of laws which would be equivalent to prohibition, in fact they would be worse than prohibition as far as affecting their interests is concerned, for we well know that prohibition does not prohibit in Texas, but if the people who are opposed to saloons in this State could do so, they would

not hesitate one minute to impose conditions so very severe through legislation that saloons could not operate." (S-3044.)

Letter from San Antonio Brewing Association to B. Adoue, Texas Brewers' Association, Galveston, 2-20-07:

"I have to advise having just returned from Austin, and will state that we were little bit in hopes that the McGregor-Baskin, Love of Williamson bill would come up for consideration. It was made a special order for 2:30 p. m., but was not reached for some reason.

"I feel quite confident, and warranted in saying that with the proposed increase of 25 per cent in amount of the beer as well as the whiskey license, that we will be safe as far as the beer license is concerned, and I am also confident that we will be able to come to an agreement as to the restrictions, condition of the bond, etc., and I am also confident, at least I feel confident, that the beer license will not pass. In matters of this kind, however, there is no telling just when a change may take place, as it is likely to occur at any time, and for this reason we are not going to let up, but will keep up our work until we get through, but summed up, all told, things look quite good!

"You have some notes of Mr. Fitzhugh of Fort Worth, Texas, about which there has been some (seems to me) misunderstanding, and will state that it will be to our interest if you will kindly send the notes referred to to me, as they should be in my possession. My reason for this request I will explain to you or Col. Gresham verbally, the first time that I have the pleasure of seeing either of you gentlemen.

"In regard to the bill segregating beer and whiskey, beg to state that after we gave it a thorough examination, we decided that it was not in the shape that it should be, so it will be referred to Sam Morgan's attorney today, will be returned back to Austin tomorrow, and will be introduced without fail some time this week.

"I asked a friend of mine to write an article on the general issues as to beer and pertaining to the brewing interests of the State of Texas, and I have pleasure in handing you herewith a copy of the same which can be used by our friends to good advantage. This and what I say to you now, is for your information solely. Would you believe that Mr. McGregor 'paired' with one of the strongest pros in the House on the 'beer inspection bill,' Mr. McGregor in favor of it, and this very strong, but fair-minded pro against it?"

"P. S.—Please do not delay financial returns any longer than you can possibly help, and oblige." (S-3050.)

(See TB-754, TB-755, TB-756, TB-757, S-3076, S-3077, S-3079, S-3080, S-758.)

Excerpt from R. F. Cook, House of Representatives, Austin, to Zane Cetti, Texas Brewing Company, 2-29-07:

"I arrived here at 7 a. m. today and as good luck would have it the first four men I met were old schoolmates of mine, and from them I was soon apprized of the political situation relative to one measure.



Three of them were passive on the high license feature of the bill, and I gained from them each and all the promise, before I left them, that they would vote against the exorbitant uniform tax proposed and championed by the Speaker. About 4:20 p. m. the House reached the liquor bill. McGregor's drastic amendment was read, then Terrell of McLennan offered a substitute to the amendment raising the present license on both whiskey and beer 25 per cent, which substitute was championed by Onion in an able argument, setting out the facts just about as you had given them to me, one or two others spoke briefly along the same line, after which the Speaker called another to the chair and offered his amendment to the amendment and asked to be given until tomorrow at 10 a. m. to arrange his address.

"Onion, Baskin, Lane et al think that we are safe; but I anticipate a very close vote, consequently several of us are not positively committed against us. Mr. Callan is here representing the brewery interests of San Antonio and his information has been very beneficial to me. He was a member of the 27, 28 and 29 Legislatures. Therefore, he has a large and favorable acquaintance in the House and Senate. Galveston and Houston have men here who are sparing no efforts towards creating the right kind of sentiment. I think I shall be able, when I return, to show you how some effective work had been done through your Representative. I find the labor union sentiment crystallized in our favor and upon the whole the outlook is good.

"The entire day tomorrow, I predict, will be devoted to the discussion of the liquor bill, and perhaps a portion of Saturday. Your communication has not yet arrived, I am anxiously and somewhat impatiently awaiting it. I sent you a telegram at 8 p. m. which I trust you was able to decipher. Address me at the Driskill." (TB-759.)

(See S-3087, S-3089, S-3090.)

Letter, R. F. Cook to Zane Cetti, Texas Brewing Company, Fort Worth, Texas, 3-5-07:

"Yesterday and today were suspension days in the House and tomorrow is Senate bill day, so from the present arrangement, the liquor bill will not be reached before Thursday. We have been working like beavers and fully expect to win, on the next ballot. I have devoted the afternoon hunting up the members who didn't vote last Friday and have seen all but three and from them I have received the gratifying information that we'll have the clear majority on next ballot.

"The San Antonio man and I won three votes tonight who voted with the opposition last week and have just been congratulating each other over the present outlook, because if veracity is a virtue that belongs to the Solons, we have won. If there should, perchance, be a ballot or any decisive action on our bill tomorrow you may expect an immediate wire from me. Please forward \$25 and charge to my account." (TB-760.)

Letter, R. F. Cook to Zane Cetti, Texas Brewing Company, Fort Worth, Texas, 3-5-07:

"I presume that you received my wire which was sent exactly five

minutes after the vote was taken on the Love amendment to the Baskin-McGregor liquor bill, which resulted in his defeat by nine majority. He immediately afterwards introduced another amendment carrying the same provisions as his original amendment, but applicable only to counties which had eighty thousand population at the last decennial census, which embraces Dallas County only, said last amendment carried just before adjournment. Just before the ballot was taken, on the original Love amendment, the San Antonio man and I, fearing that the vote would be close, like it was last Friday, induced two of the members, who were hopelessly against us, to engage in a domino game, where we succeeded in holding them until it was too late for them to do us any harm.

"The Baskin-McGregor bill carrying the Terrell substitute will finally pass the House tomorrow. I have just been arranging a minor amendment which will be introduced by Lane at 10 o'clock in the morning to strike out the odious terms 'dramshop keeper and tipler' and to insert in lieu thereof 'liquor dealer and malt liquor dealer.' We can't tell at this writing whether this effort will be successful or not, but we shall use every effort to make it so. We are trying to argue and ridicule the proposed beer inspection bill out of serious consideration and it now looks like the general sentiment is in our favor." (TB-761.)

(See TB-762, TB-764, S-3096, S-3142, TB-765, TB-768.)

Letter, R. F. Cook to Zane Cetti, Texas Brewing Company, 2-7-07:

"The House passed to final engrossment this afternoon at 5 p. m. the Baskin-McGregor liquor bill just as I told you in my last they would do. We can kill this measure entirely in the Senate if you think best, otherwise it will likely pass that body in a somewhat modified form. I don't know how well the bill, as passed, will suit you, but I presume fairly well. The license are increased only 25 per cent except in Dallas County. I wrote the amendment which I spoke of in my last and presented to Lane; he first promised to make a fight on the odious terms used, but after consulting Baskin he refused to do so, saying that it didn't meet with his approval so the original odious expressions in the McGregor amendment remain as they were.

"We anticipate that Love and Jenkins will bring up their proposed beer inspection bill tomorrow." (TB-772.)

(See TB-773.)

Letter, G. H. Luedde, Waco, Texas, to Otto Wahrmond, San Antonio Brewing Association, 3-7-07:

"I want to congratulate you on your success in the Legislature with reference to the small increase on license, defeating our friend Love's high license bill. Do I understand, friend Wahrmond, that the bill now passed is merely the same law that saloons are now operating under with only a 25 per cent increase in the license, or is this the McGregor-Baskin bill merely substituting an amendment with reference to increase in license?" (S-3099.)

(See S-3103.)



Letter, San Antonio Brewing Association to B. Adoue, Texas Brewers' Association, Galveston, Texas, 3-13-07:

"I beg to advise having just returned from Austin, but will have to go there again tomorrow. We have been suspicious for several days why the 'beer inspection bill' had not been called up, and were given to understand, in fact, were told by a friend, that they would appeal to the Governor to aid them in the passage of the bill. Our informant, however, was not positive if they would do so or not, and we were not convinced as to this until I had an opportunity to meet the Governor yesterday, and he told me, holding paper then in his hand, that it was the 'beer bill,' so it would seem that our informant was right, in that they would appeal to the Governor to aid them in the passage thereof!

"I shall go back to Austin tomorrow, and I shall then go into details with the Governor touching on the conditions of the brewing business of Texas in general, and recalling the promises made by him during his campaign, that he would be a Governor for all of the people of Texas, that he would not discriminate but would protect the interests of the State generally, and knowing the gentleman as well as I do, I am sure that he will take a just view of the question at issue after I have explained everything thoroughly, and that he will not do anything that would have a tendency to hurt the brewing interests of this State, in other words, that he will treat us with the same consideration as is shown the other manufacturing interests of the State. All this, at least for the time being, I beg that you consider strictly confidential." (S-3114.)

Letter, R. F. Cook, "representative of the Fort Worth Brewery," Austin, to Otto Wahrhund, San Antonio, 3-13-07:

"If you remember I met you in the gallery of the House of Representatives when the Love high license feature of the Baskin-McGregor bill was under discussion. This bill will be reached right away in the Senate and you know it is very necessary to use all the pressure possible to have the eighty thousand feature eliminated. We are also expecting the beer inspection bill and the segregation bill to be called up any day. You have had a man here who worked hand in hand with Jeff Montgomery and myself and we consider him an artist in his line and we also believe that to him, more than any other one man, was due the defeat of the Speaker's pet measure. We are exceedingly anxious to have him work on these other matters with us, as they affect very materially your interest and ours and we need all the help that we can get from those who are familiar with the lay of the ground. We suggest, if you'll pardon the presumption, that you try to arrange with Chris Callan to remain with us until all danger is past." (S-3116.) (See S-3118.)

Excerpts from letter San Antonio Brewing Association to Otto Koehler, New York, 3-15-07:

"As previously advised, the McGregor bill passed providing for 25 per cent increase in amount of the license both for whiskey and beer



with no serious restrictions in the bond except one provision which he refers to the closing of saloons from 12 m. Saturday night until Monday morning, but I do not think that even this will have any serious bearing for the Sunday law at present provides that the saloons shall remain closed from 12 Saturday night until Monday morning, as well as providing for punishment in case of violation.

"While our margin was not very great, still, we defeated every amendment offered by Love from 7 to 10 votes until he offered his last which provided for an exception in the case of counties having a population of 80,000 people based on the last census, which would affect Dallas only, and in offering the same he made a very strong talk and a personal appeal as the Representative from Dallas County, and as I outlined to you briefly in a previous communication, before he got through talking, appreciating the smooth way in which he handled his subject, I was convinced that he would defeat us on the same and so wired and informed both Adoue and Morgan, and so he did as the final vote showed, beat us about 2 to 1. The Senator from Dallas, Mr. Senter, is in a very embarrassing position, as you may well imagine, being petitioned constantly pro and con, and we are not able to tell definitely what he will do in the matter. Of course, an expression from him would go a long way, especially if he would say that he did not want an exception made and have it apply to Dallas only. I sincerely believe, however, that even should it hold, that it will be amended in the Senate.

"It seems from what I have been able to learn, that Morgan has made a great many mistakes of late, as well as Adoue and Gresham, and I tell you, Mr. Koehler, all of this has caused me no little worry and trouble. I have learned certain things, and have an appointment with a certain party who has promised to divulge to me a great many things that we should know, and has promised on account of his great friendship for Onion, to tell me all next week. As stated, all of this has troubled and worried me a great deal of late! It is not right that all of these mistakes should be made and then passed up to me to straighten out, for my task is hard enough as it is. I think that whoever may be put in charge of the brewing interests of Texas we should make it a point to insist that they be very careful and whatever is done, it should be with the knowledge and consent, as far as possible, of all concerned." (S-3120.)

(See S-3132½.)

Excerpts from letter Walter Gresham to S. T. Morgan, Dallas, 3-16-07:

"I see that the House engrafted the high license feature for Dallas County upon the Baskin-McGregor bill. Will there be an effort made by you and other parties in Dallas to have this feature of the bill eliminated by the Senate? While I am not posted as to the exact provisions of that bill, yet I believe that its main features are satisfactory to our friends. In looking over the vote cast for and against Love's high license amendment I see that our calculation as to the friends we could rely upon was very nearly correct; some five or six of the vote we cal-

culated on being with us on our measure voted with Love. Particularly Cox and McCallum. Also several others. I presume that they voted as they did through compliment to Love more than from conviction.

"While the educational process is very slow and doubtless expensive, yet it seems we are gradually progressing, and our interest has a more decided and outspoken following in the Legislature than any other." (D-413.)

Excerpt from letter, A. S. Crisp, a member of the Legislature from Cuero, to Zane Cetti, Texas Brewing Company, 3-18-07:

"The license inspection folks will attempt to get up their measure today and I am advised by some of the well posted ones of our folks that we will be able to prevent the measure from coming up." (TB-776.)

Letter, A. S. Crisp to Zane Cetti, Texas Brewing Company, Fort Worth, Texas, 3-21-07:

"Agreeable to our understanding I am enclosing bill for year's advertising contract, which you may remit me here, copy to be inserted for the brewery advertisement as soon as you submit text of same."

"I had special and regular copies of my paper mailed you a few days ago."

"The segregation bill has not been introduced but I have got wind of it and will mail you a copy as soon as the member returns to town who has it. I think it will at least get before the Legislature in time to get a comprehensive discussion in the papers; which I can serve you here or elsewhere shall be most pleased to hear from you." (TB-777.)

Letter, A. S. Crisp to Zane Cetti, Texas Brewing Company, Fort Worth, 3-25-07:

"Agreeable to recent promise I mailed you a copy of the segregation bill by McConnell and others." (TB-779.)

Letter, J. D. Montgomery, Austin, to Zane Cetti, Texas Brewing Company, Fort Worth, 3-30-07:

"On account of the sickness of Mr. McConnell, author of the segregation bill, we have not made the progress that I hoped for this week. Am sure that we will get the bill through one of the houses next week. I would like, if you possibly can, that you send Mr. Louis J. Wortham down here next week to assist me. If you can send him he can materially assist me in this fight."

"I have talked with Mr. Wortham and he understands the situation fully." (TB-782.)

(See S-3169, S-3171, D-417.)

The following letter was written by Hon. A. S. Crisp to Mr. Sam Morgan, Dallas, 4-19-07:

"I desire to congratulate you on your escape with your county in the Senate from the provisions of the so-called 'uniform liquor license measure,' which would have been an unjust and cruel discrimination

against your county. I hope that you will also escape the throes of local option now raging in Fort Worth, and that both of your cities will be permitted to pursue the metropolitan trend of their ways without this unnecessary proscription upon their commercial life." (D-423.)

The following is a letter from John F. Onion to Mr. Zane Cetti, Fort Worth, 4-23-07:

"Mr. Baskin refused to sign a minority report with me on the beer inspection bill. I don't understand his position. I suggest that you write him at once urging him to vigorously oppose this bill which would mean confiscation of brewery property in Texas. Suggest that you do not even suggest that you doubt his opposition to the bill. Simply urge him to oppose it.

"Hold this confidential. Lane is all right and fighting hard." (TB-79.)

Telegram from Chris B. Callan, Austin, to R. F. Cook, representing Texas Brewing Company, Fort Worth, 4-27-07:

"Inspection bill up; shall I fight; answer." (TB-793.)

Letter from A. S. Crisp to Dallas Brewery, 4-27-07:

"On my return I find yours of the 20th here, and it suggests to me to give you a little pointer that might be worth something to you. Passing through Temple and Belton I noticed the St. Louis people have the great run there. They don't make any better stuff, if as good, as your company, and why can't you get into one or both of these places with an agency, and capture at least some of the trade of these splendid places? It may seem a little superfluous for a country newspaper man to make such a suggestion to a business man who ought to be up on all these matters, but you have been exceedingly courteous to me, and I thought if there was anything in the suggestion, I would give you the benefit of it, as I believe your concern could make good there." (D-424.)

Telegram from R. L. Autrey to S. T. Morgan, Dallas Brewery, Dallas, 5-1-07:

"Not going to Austin. McGregor tells me bill cannot pass and will not be considered for several years." (D-426.)

Letter from A. S. Crisp, Austin, to Zane Cetti, Fort Worth, 5-3-07:

"Now that you have had your sweeping victory in Fort Worth, if it pleases you to carry out the terms of our contract, a year's advertisement at \$100, recent understanding on our contract, and communicate same to me here, it will be duly appreciated, and will begin your advertisement whenever you submit matter therefor.

"Though in the minority here, we have prevented uniform license, beer inspection, and are actively laying for other measures aimed at the liberal districts of the State.—A. S. Crisp." (TT-49.)



The following is a letter from G. H. Luedde, manager Aug. A. Busch & Co., Waco, to B. Adoue, Galveston, 5-10-07:

"Enclosed find copy of the Morning Star which explains itself with reference to the McGregor bill. You will please notice it states that in all probability, Texas will not have any saloons for twenty days. When Mr. McGregor was here to make his speech, and in office with Mr. Stribling, our attorney, Mr. Stribling in reading over his bill, said to him that you have made no provision for the old license law, and neither have you made any provision for the saloons to run in between the time that the old license is revoked and the new license can be taken out. Mr. McGregor stated that his point was well taken, that he had not thought about this when the bill was drawn. Our attorney suggests that it would be a good idea for the attorneys representing the liquor interests and beer interests of Texas meet with the Attorney General and take up these matters, pro and con, and agree upon a compromise that would be fair to all parties, and let the Attorney General make a ruling accordingly. Our present attorney says that he is willing at any time to meet with them, and he has given this matter considerable study, and I think is pretty well posted upon McGregor-Baskin bill. I think it would be wise to have Mr. McGregor and Baskin present because it certainly was not their intention that the license should be confiscated by the State, because there is no provision made in the McGregor-Baskin bill to pay for the unexpired license under which the saloon men are now running. It certainly was their intention that in their act which revokes the present saloons that they should be paid for the same or at least credit on the'r new license, and let them pay the difference. I believe if Mr. McGregor and Baskin and the attorneys representing the liquor and beer interests were to get together with the Attorney General that they could agree upon the ruling that the Attorney General could make, that would be satisfactory to all parties. If such an agreement is not made I am afraid that a number of saloon men will continue in business and immediately test the McGregor-Baskin bill, and it is held by a great many attorneys and good ones, at that, that the McGregor-Baskin bill is very faulty in a good many respects, and we might lose the good effects that we hope to derive from it. Now I think if these things are properly explained to the Attorney General, he would make a ruling satisfactory to all parties." (A-1880.)

Excerpt from letter to Thomas F. Keeley, Chicago, Ill., from S. T. Morgan, Dallas Brewery, 5-13-07:

"Your favor of April 30th to hand, and I have delayed answering waiting the adjournment of the Legislature, which I am glad to say took place on the night of the 11th inst. The fight has been a long and hard one, and considering the taxing mania which seemed to have possessed a great many members, I am inclined to think we have good grounds for congratulations.

"We made no fight against the increase of 25 per cent in the

license, and I am of the opinion we will not be directly affected under the gross receipt tax measure.

"We defeated the beer inspection bill, also the bill recommended in a special message by the Governor seeking to make violation of the local option law a felony." (DB-427.)

Telegram to Dallas Brewery, Dallas, from Henning Bruhn, San Antonio, June 1, '07:

"Can you and your attorneys meet here on the eighth with other Texas brewers and attorneys regarding local option House bill four hundred and twenty? Answer.

"Will be pleased to attend meeting as stated your telegram." (D-446.)

Telegram from Henning Bruhn, San Antonio, to Texas Brewing Company, Fort Worth, Texas, 6-1-07:

"Can you and your attorney meet here on the eighth with other Texas brewers and attorneys regarding local option House bill four hundred and twenty? Answer." (File Z. C., TB-810.)

Excerpt from letter from H. Bruhn, manager, to Mr. Zane Cetti, Texas Brewing Company, Fort Worth, 6-2-07:

"We are in receipt of your yesterday's telegram, in reply to ours, and wish to say that it was not our intention to ask you for a pro rata contribution to the cost of testing House bill No. 420, but we wished you, or another member of your corporation, to be present at the meeting, together with your attorney, as the other Texas breweries which are interested in this case will also have their representatives here, together with their attorneys.

"We think that this matter is of considerable importance and would ask you again, if you could possibly arrange it, to be here with your attorney on the above mentioned date?" (TB-811.)

Letter from S. T. Morgan, Dallas Brewery, to Mr. B. Adoue, Galveston, 6-6-07:

"In conversation just had with Mr. Bruhn over the phone he tells me that you are opposed to the meeting of the attorneys of several of the breweries in San Antonio on Sunday, the 9th inst., to consider the constitutionality of the law passed by the last Legislature proposing to tax the sale of non-intoxicating malt liquor dealers \$4,000. I have no doubt you have good reasons for asking that the meeting be called off, and in its stead a meeting of the association be held, but in my opinion it is best to contest the matter independently of the brewers' association as I understand several of the breweries are not interested; that is, they do not manufacture non-intoxicating malt liquor; hence it would hardly be right to tax them, or otherwise mix them up in the contest, but certainly those of us that do manufacture a non-intoxicating malt liquor should get together and agree upon a plan of action especially as all of our attorneys advise us that the law is unconstitutional. Being unconstitutional and the course so holding we certainly



could not be censured for protecting our legal rights, and I don't believe the contest will in any way effect the standing of the Texas Brewers' Association, or make our road any harder to travel, for certainly if we do not take steps to protect our business outside breweries will come in and get the trade.

"I am in hope after giving this matter more careful consideration that you will coincide with us and see the fairness and importance of proceeding with plans agreed upon between Mr. Bruhn, Mr. Luedde and Mr. Autrey and myself." (D-456.)

The following is a letter from B. Adoue, Galveston, to Mr. H. Bruhn, San Antonio, 6-7-07:

"Your letter of yesterday received. My objections to a lawyers meeting are:

"1st. I would give the question more importance than it deserves and create a basis for a proportionate fee.

"2d. The lawyer of each brewery knows as much as any other about constitutionality of law, and it is advisable to get their opinion in any question separately and not jointly.

"3d. It is bad policy for breweries to fight any law; their reputation is bad enough without it; it creates enemies.

"4th. When any of your customer's rights are confiscated, let him employ a constitutional lawyer (they all are) and the brewery may assist his customer with talent or money, but it must be his fight and not the brewery.

"5th. Mr. Gresham's services are at the disposal of the brewers' association; each has the right to call on him for advice, and he certainly knows something about 'Constitution.'

"6th. If you want to make a test case, do it quietly, as indicated in paragraph No. 4. Mr. Aubrey can supply all the legal talent you need; avoid ostentatious litigation.

"7th. Never call meetings except through the president and secretary of the 'Brewers' Association.'" (D-458.)

The following is a letter from B. Adoue, Galveston, June 8, '07, to Mr. S. T. Morgan, Dallas:

"Your letter of the 6th inst. received this morning; there are many reasons for my opposition to a lawyers' meeting at San Antonio, see enclosed copy of my letter to Mr. Bruhn on the subject.

"To the seven objections made in that letter, I will add this: the liquor dealers are more interested than the breweries, and I have been informed they are going to make up a case. I am strongly in favor of letting them have the glory of the fight with the privilege of paying the lawyers included.

"If the law is unconstitutional, the whiskey people will very soon adopt proper means to find it out, and I advise brewers to keep quiet for the present.

"I have already received several offers from lawyers to have the laws declared unconstitutional, and I have before me a letter from a lawyer who offers to have the entire local option laws of Texas declared



unconstitutional for a contingent fee, 'no cure no pay.' He is one of the ablest lawyers in Texas, says my correspondent. The brewers have all to lose, nothing to gain by rushing into litigation; let us wait and see what others will do.

"Relative to the \$4,000 license for selling non-intoxicating malt liquors; it can be carried into court by a man refusing to pay it. Let it be done quietly by him, and not by the brewers." (D-460.)

Excerpt from circular sent to "all our agents, traveling representatives and customers," sent out under date 6-21-1907, by the Houston Ice and Brewing Company:

"We are daily in receipt of many letters from our customers throughout the State of Texas, asking for information about the new non-intoxicating malt liquor tax law, and deeming it our duty to advise our customers who are largely dependent on us to keep them informed upon this question, we now say that we have determined that on the 12th day of July, when this law seeking to place a tax of \$2,000 on dealers in non-intoxicating malt liquors for State purposes, \$1,000 for county purposes and \$1,000 for city purposes in an incorporated city, total tax \$4,000, goes into effect, we will take up the case of the first customer of ours who will be arrested for continuing the sale of Hiawatha (because he believes the law to be unconstitutional like we do), without previously paying the tax and obtaining license, and will immediately endeavor to take him through habeas corpus process before the Court of Criminal Appeals of the State of Texas, and are confident that through this habeas corpus process we will reach the Court of Criminal Appeals, which is the court of last resort—within 3 to 5 days after July 12th—that is, no later than the 17th of July, being fully advised by our attorneys, Messrs. Baker, Botts, Parker and Garwood, and our special attorney, Mr. T. H. McGregor, who, by the way, is the framer of the now famous Baskin-McGregor liquor law of this State, which also goes in effect on the 12th day of July, that the law is unconstitutional and void, and of no effect for many reasons.

"We may further add that all of the breweries' attorneys in the State of Texas are of the same unanimous opinion as to the fatal defects and unconstitutionality of the law, and we have consulted them all, naturally having discussed this matter with all our brother brewers, this matter being of such vital interest to all the brewers in the State." (G-113.)

The following is a letter from J. L. Peeler, member of the House, to Otto Wahrmond, San Antonio, 7-22-07:

"Please pardon me for not extending this invitation earlier. I want you to be my guest at the encampment next Wednesday, 24th inst., sham-battle day. For one time on earth I want to entertain you. Come over tomorrow afternoon and spend tomorrow night and Wednesday with me. Senator Willacy is with me and we are anxious to talk to you. I know that you are busy and that Mr. Koehler is gone, but can come and come you must." (S-3396.)

(See S-3401.)

The following is a letter addressed to S. T. Morgan, Dallas; Zane Cetti, Fort Worth; Henning Bruhn, San Antonio, and G. H. Luedde, Waco, by R. L. Autrey, 9-1-07:

"Mr. T. H. McGregor received a letter this morning from Judge Davidson, dated at Georgetown, in which Judge Davidson states that he has been sick on and off almost every day since the hearing of the Woods case at Houston, and only in the last few days has he felt able to give the case consideration, and that he has consulted Judge Henderson, and that, together with Judge Henderson, have decided to let the case go before the court at Tyler, and he has just written an order to the Sheriff of Orange County directing him to release Woods temporarily and have him at Tyler promptly upon the convening of the court.

"He gives as his reason the language used by Judge Brooks in rendering his reason in the liquor case, when Brooks stated that it is improper for one member of the court to pass upon the constitutionality of any law in vacation and at an ex parte hearing. The tone of the letter is very friendly and written in a familiar style and it is on account of familiar terms with Mr. McGregor that he did not think proper to let me have the letter and send you a copy, but the whole tone of the letter indicates that Judge Davidson is with us, and I think it further indicates that Judge Henderson is also with us.

"This action of Judge Davidson means that we are not doubtful of the ultimate result, and about the best thing we can do is to convince our customers that they may go ahead and sell, confident in the belief that all will end well. If we can't succeed in making the customers look at the matter that way, why then I don't know what else to suggest." (TB-853.)

Excerpt from letter from S. T. Morgan, Dallas Brewery, to Thomas F. Keeley, Chicago, Ill., 8-21-07:

"There is nothing being done in the 'frosty' line in Texas, as Judge Davidson of the Court of Criminal Appeals, before whom the constitutionality of the prohibitory tax was argued, declined to pass on the question, but set the case down for hearing when the full court meets in October, but from what he said to our attorney we believe the full court will hold the law unconstitutional, and his only reason for not doing so was that it seemed that the practice of our higher court has been not to hold any law unconstitutional of a law." (D-540.)

Letter from S. T. Morgan, Dallas Brewery, to A. T. Stevens, Dallas, 8-19-07:

"In the matter of contesting any change in our saloon limits by the last Legislature, and looking after local conditions by Mr. George Smith's detective agency, I have paid out the following amounts:

Dick Winfrey, expense and time.....	\$ 400.00
Expenses to Austin of Mr. Barry Miller.....	67.50
Expenses to Austin of Judge Eckford and Ben Cabell	100.00
Mr. Hopkins, engineer, for map and time.....	10.00
Geo. Smith, three months for two men each, May 1st to August 1, 1907 .....	450.00

Total . . . . . \$1,027.50

"Neither Mr. Miller, Judge Eckford or Mr. Cabell, you will understand, made any charge for their time at Austin, and Judge Eckford made two trips to that city. Neither have I made any charge for my personal expenses covering several trips to Austin on the saloon limit question. Mr. Stevens will also remember that at the last meeting of the association held in Galveston, which he was present, we were informed by the association that each brewery town would have to take care of its local expenses. Up to that time or to May 1st, the association paid Mr. Smith, but since May 1st this expense will have to be paid by those interested locally.

"If we pro rate the above amount on the same basis we did the \$750 the four breweries interested are due me the following amounts:

Dallas Brewery .....	\$ 411.00
Aug. A. Busch & Co.....	274.00
Wm. J. Lemp Brewing Co.....	171.25
The Texas Brewing Co. (Frank Hamm).....	171.25

\$1,027.50

"If the way I have figured this matter out is satisfactory, please send me check for your part." (D-533.)

The following is a letter from Meisterhans & Feickert, brewery agents, Dallas, to S. T. Morgan, Dallas Brewery, Dallas, 8-20-07:

"Your favor of the 10th inst. to hand, and we beg to hand you herewith our check for \$171.25, being our pro rata of the transactions as enumerated by you." (D-534.)

Excerpt from letter to R. L. Autrey from S. T. Morgan, 8-20-07:

"I have delayed answering your favor of the 16th inst., as we are also contesting the saloon limits of this city as passed by the last Legislature, and I was in hopes to be in a position to give you some definite information, as our judge of the city court held the limits unconstitutional, but the city asked for a rehearing, and this was granted and argued on yesterday and the courts has taken the matter under advisement until Saturday, the 24th inst." (D-535.)

Letter from O. Paget, Texas Brewers' Association, Galveston, to all the breweries, 8-26-07:

"I enclose an 'opinion' of Judge Ballew in re certain laws concerning your interests passed by the last Legislature. It is elaborate and I venture to say will be sustained in every point in courts of last resort.

"It cost the association nothing, and while that, of course, may depreciate its value, it will, nevertheless, repay a careful reading." (TB-887.)

Letter from San Antonio Brewing Association, through Otto Wahrmond, to Messrs. Onion & Henry, San Antonio, 9-6-07:

"I have pleasure in handing you herewith check for the sum of \$208.33, in full of the enclosed statement, which kindly receipt and return.



"Noting the enclosed correspondence, and appreciating your position and the submission, beg to state that we know nothing about snaring the expense referred to. We furnished the services of our attorneys in that case free of expense to any one other than ourselves, and we expected every one else to do the same.' (S-3538.)

The following is a letter from San Antonio Brewing Association, by Otto Wahrmund, to Jos. Faust, New Braunfels, 10-8-07:

"I should have come to your beautiful little city long before this in order to see you, and will state that of late I have had occasion to meet a great many of our mutual friends, and they are all anxious to know if you have decided to permit your name to be submitted, which will be equivalent to your re-election to the Senate, they well knowing and appreciating that a word from you is all that is necessary.

"When we consider the threatening attitude of Rankin and other leading pros and the determined fight that they intend to make to place the great State of Texas in the prohibition column, we are compelled to realize the great danger, and sacrifice more or less our business interests and personal convenience. This being true, our friends look to you for assistance.

"If it were in my power, or in the power of any of my friends to help, and if such help was necessary (which I hardly think is the case), I should be more than pleased to do everything possible, and you have simply to command me.

"I shall be pleased to hear from you on the subject by letter, and if you are not coming to San Antonio some time in the near future, I could take a run over there to see you if necessary, some convenient afternoon." (S-3631.)

The following letter from San Antonio Brewing Association, by Otto Wahrmund, dated 10-10-07, to Jos. Faust, New Braunfels, unsigned:

"I am in receipt of your letter of the 9th inst. and am exceedingly pleased to hear that you have determined to be a candidate for re-election to the Senate. I do not think that there will be any trouble, in fact, I am sure it will be an easy matter to knock out the Hays County man.

"Judge Martin is a particular friend of mine, and I cannot see why he should take any special interest in the matter, for in the first place he does not live in the district; at any rate, the very first opportunity that I have will have a talk with him on the subject.

"I feel confident that as soon as the good people of Guadalupe County realize what you have done and who the other party is that they will be only too glad to help out.

"Yes, we are not the only one who has had a little like experience. Some of the very best friends that we have in this section have labored under the same mistaken idea, thinking that you, Judge Green, Senator Willacy and a few others, having control of legislative matters of this kind, have criticized very severely. If they only knew the facts, instead of censuring they would have nothing but words of praise commending

what was done under the circumstances. We have talked to a great many of late, and have explained matters to their entire satisfaction." (S-3640.)

Excerpt from letter to Otto Wahrmund from S. T. Morgan, 11-23-07:

"Yours with opinion enclosed received to hand and I thank you for same. From the opinion it would seem we may look for a hard scrap in the next Legislature, as no doubt the pros will try and rush matters while Campbell is Governor, it being supposed he is friendly to their cause." (S-3754.)

Excerpt from letter from S. T. Morgan, Dallas Brewery, to Thos. F. Keeley, president Dallas Brewery, addressed to him in Chicago, Ill., 12-31-07:

"I attended a meeting of our friends at San Antonio, Texas, Sunday, and from reports made and discussion had it looks very much like we have a very hard fight ahead of us. Most of those, however, attending the meeting were hopeful, and believe we can defeat a pro amendment, also that as the Baskin-McGregor bill passed by the last Legislature regulating the retail liquor dealers is giving satisfaction and the saloon men especially are active in the enforcement of the law, we don't look for any agitation on the license question.

"From the enclosed copy of letter that I wrote to Mr. Busch and Mr. Lemp, copies of which I mailed to individuals interested in the Texas breweries, you will note that future contributions must be made by individuals, as under a law passed by the last Legislature, copy of which I enclose, you will see the president or any officer or director of a corporation making contributions for election purposes would be taking chances on going to the penitentiary, as well as having the charter of his company forfeited and heavily fined.

"Mr Adoue received a telegram from Mr. Busch, dated Pasadena, Cal., and reading as follows: 'I wish I could be with you and your Texas friends to take part in your deliberations. I most earnestly hope that all will make the strongest effort to weed out the strong objectionable saloons and not to permit them to exist. By doing this we will secure the good opinion of all fair men and thus prevent greater trouble and danger for the beer industry. Good cheer, happiness and prosperity to all. Sig. Adolphus Busch.'

"So you see that the main offenders in the past have realized and to save the brewing business they must change their ways of conducting the same from that followed in years gone by.

"The saloon limit case is still in the court, but the saloons affected are all closed, and this seems to be generally satisfactory, while I am strongly of the opinion that the courts will hold the law to be good, I doubt if it would be unwise and might prove detrimental in the end should the opinion be to the contrary." (D-662.)

1908.

Letter from American Brewing Association, per J. H. Lileinthal, to Houston Ice and Brewing Company, 1-7-08:

"Herewith our check, No. 33281, for \$40 account T. H. McGregor's January salary, for which kindly mail us receipt." (A-2153.)

Excerpt from letter to Mr. Zane Cetti, president Texas Brewing Company, from J. E. Weeden, Texas Brewing Company, 1-11-08:

"A meeting was called last month, as you will see by a copy of mine to Morgan, and his reply to me.

"The meeting was earnest, important and instructive. For the entire day the situation was carefully discussed from every viewpoint, and all of us were impressed with its seriousness.

"The enclosed clippings, gathered from the papers from day to day will show you the vigorous campaign the enemy is contemplating.

"It was unanimously agreed by every one present that the work the Brewers' Association has been doing must be carried on, and a determined effort made to influence the selection of the next Legislature, and to have its membership, as far as possible, favorable to us. It was agreed that we must have an opposing division of the State, somewhat similar to theirs, with men like Onion and others of our friends working for us, each in his own territory. This, of course, will cost a good deal of money, and it was plainly evident that the donation of 5 cents per barrel would not be sufficient. When they had all, one after the other, promised their pro rata, Adoue turned direct to me to force an agreement on the part of Fort Worth. I answered that I had not the authority necessary, but that as far as I was personally concerned I agreed with them on the importance of our campaign, and I cannot help saying to you that it really appears imperative—in view of the good work that the association has already done, the experience that it has had to avoid future mistakes—and it would be best for us to follow along with the other interests, especially from the fact that Mr. Busch, apparently, is in entire accord with the movement." (TB-951.)

Excerpt from letter from Otto Wahrmund to Capt. L. Hagen, Fredericksburg, 1-22-08:

"Referring to matters political, beg to state that we have got to get good men to run for the Legislature this year more than ever in our history, and in this connection beg to suggest that you kindly see Alfred VanderStucken, Oscar Krauskopf, Willie Bierschwale and other good friends of J. R. Kellersberger of Cypress Mill, Blanco County, and have them urge the latter to accept the nomination as Representative to the House of Representatives, as we are very anxious to have him consent to do so. Also tell Alfred Goeth and have them, together with all of their friends in turn, urge Kellersberger to make the race. If he does, I realize that it will mean a sacrifice on his part, but the time has come when we will have to have that caliber of men in the



House of Representatives, and the idea is to bring as much pressure to bear, coming from good, representative people, in order to have him consent to make the race. Your kind attention and advise will be appreciated.

"In regard to sending Mr. Moede, beg to state that I would do so with pleasure, but hardly think that it would accomplish what we desire just now, as our friends are considerably worked up. We had better wait a little while and later, when things are right again, i. e., when they have cooled down some, he can make the trip." (S-3855.)

Excerpt letter to Otto Wahrmund from L. Hagen, Fredericksburg, Texas, 2-7-08:

"I herein enclose a letter to Julius Kellersberger, which is self-explanatory. I also have the assurance of the Llano Club that members will pass resolution to request Julius Kellersberger to make the race. Wm Bierschwale has written in this sense to Blanco's influential men, and so I hope Mr. Kellersberger will be induced to run for the office of the lower house." (S-3945.)

Excerpt letter addressed to Capt. L. Hagen in reply to above, 2-8-08:

"I note letter from Mr. Kellersberger, which I shall retain here for few days, as I desire to use it in connection with our committee. Will return the same later, and appreciate what you say in regard to Llano Club. In this connection beg to inquire if you saw Mr. Stubbs and if he, Alfred VanderStucken, Bierschwale, Kroeniger and other friends have written in turn to friends of theirs in Blanco County asking them to solicit Mr. Kellersberger to come out and make the race. My idea was to have you and other friends, through connections, to get after the people of Blanco County, that they might succeed in inducing Mr. K. to make the race." (S-3955.)

Excerpt from letter from San Antonio Brewing Association to Capt. L. Hagen under later date, 2-18-08:

"I beg to return letter of Mr. Walter VanderStucken, and will state that what we should do is to get a few prominent people in Blanco County to urge Mr. Kellersberger to make the race, and I feel sure in that event that he would come out at once. You have friends in Blanco County to urge Mr. Kellersberger to come out, and as stated, I feel sure that he would do it. It is very important that this be done at once!" (S-3988.)

Letter from San Antonio Brewing Association, by Otto Wahrmund, to Mr. J. W. White, Mason, Texas, 1-31-08:

"I am in receipt of your esteemed favor of the 28th inst., and closely note contents.

"Mr. Onion is not here, but I understand will return home tomorrow, and will see him on Monday next and question him relative the party that you mention, and will then let you know what he knows about him.

"If there is any doubt about him, however, I would suggest that you get the other friend that you mention to make the race, and I will be ready to help you all that I can, financially and otherwise." (S-3897.)

Letter from San Antonio Brewing Association, by Otto Wahrmund, to J. W. White, Mason, Texas, 2-18-08:

"I have no reply to my last with reference to the party whom you mentioned in your previous letter. What are the developments? Would be very much pleased to hear from you, and remain." (S-3987.)

Letter from San Antonio Brewing Association, by Otto Wahrmund, to J. W. White, Mason, Texas, February 26, 1908:

"I beg to acknowledge receipt of your letter of the 24th inst., and will state that I think I can arrange to help out.

"If you will kindly let me know what the expense will be, I will act promptly on receipt of the desired information." (S-4020.)

Letter from San Antonio Brewing Association, by Otto Wahrmund, to J. W. White, Mason, Texas, 3-3-08:

"Your favor of the 29th ult. has been received, and will state in reply that I will arrange for one-half of the amount that you mention if it will obtain the results stated." (S-4030.)

Letter from San Antonio Brewing Association, by Otto Wahrmund, to J. W. White, Mason, Texas, 3-21-08:

"Your letter of the 18th inst. has been received and noted, and I beg to state in reply that while my financial condition is somewhat strained, still, whenever you see your way clear so that my \$250 or even \$300 can obtain the desired result, kindly let me know and I will be glad to make immediate remittance of the amount you direct, or you may draw on me as preferred.

"I had hoped to have the pleasure of meeting you here in attendance on the cattlemen's convention, but was told that you were not here, and was very sorry you could not come." (S-4092.)

Letter from O. Paget, Texas Brewers' Association, to J. E. Weeden, Texas Brewing Co., Fort Worth, 2-3-08:

"I herewith enclose list of Representatives and Senators of the Thirtieth Legislature. The holdovers are marked on the list, and the copy.

"I take pleasure in sending this and hope that it will be of service to you." (TB-972.)

(See S-3948.)

Letter to S. T. Morgan, Dallas Brewery, from J. E. Wyand, Muskogee, Okla., 2-7-08:

"Replying to your favor of the 4th inst. beg to advise you that Mr. Lightle has paid all but \$100 of the amount agreed upon and says he will pay that within a day or two.



"I haven't a copy of the prohibition bill as passed in the House. However, there is no danger of it ever becoming a law in its present form. I secured the signatures of enough members to defeat the emergency clause and as you are perhaps aware, the statement by the Speaker and widely published in the press that it would go into effect immediately after its passage, is not well founded. Should it pass the Senate it would not become the law until the expiration of ninety days after the adjournment of the session. Committees have been appointed from both the Senate and House to draft a bill that will overcome the objections to the present one. We hope to be able to prevent the defining of what intoxicating liquor is. We will keep you informed about the progress of the thing.

"I regret that Mr. Lightle was placed in charge of the collection of funds. He claims to us that no one paid him a cent except you and your friend. I spent three weeks in Guthrie and expect to continue the fight as best we can notwithstanding the fact that we only have you and your friend for clients. This matter could be easily defeated if the other parties had come in and helped as we contemplated. I think he tried to obtain a contract from them beneficial to himself alone, and has shown bad faith not only with us, but with all concerned. I am advised by some of his employes that he has had several carloads from these breweries which they believe he in some manner received upon the theory that he was conducting a fight. We are disgusted with him, but having taken your money, expect to do the best we can, and have great hopes of winning." (D-686.)

S. T. Morgan, Dallas Brewery, to Otto Wahrmond, 2-11-08:

"Complying with your request of the 8th inst., I today renewed your subscription to the Texas Christian Advocate, and have pleasure in handing you herewith receipt.

"I also enclose an article from this morning's News signed by John B. Durrett of Belton, Texas, and from which you will note he holds that a constitutional amendment is not necessary to put into effect State-wide prohibition, but holds that the Legislature has this power. If this is true, then I think our danger is much greater, but it has been my understanding that while the Legislature has the power to abolish saloons; that is, it can prescribe the manner of sale, and especially prohibit the retailing of liquor, but that it did not have the power to prohibit the absolute sale and manufacture.

"I met Mr. Stafford here Saturday evening, and had a few minutes' talk with him, and he stated that he would more than likely see you while in South Texas, and would go over the several matters touched on in my letter to you of the 8th inst." (S-3966.)

Letter of Dave Paulus of the firm of Paulus & Ragsdale, Hallettsville, Texas, to Otto Wahrmond, San Antonio, about February 12, 1908:

"Our friend Lipscomb of Hempstead says he can't afford to at present make the race for Representative. Have not yet heard from George Herder of Weimar. Saw in papers that in Victoria a petition was in circulation requesting Beasley of Beeville to make the race for



Representative to succeed Pool, and at once wrote to F. A. Rees of Beeville to give the matter immediate attention, and to not let Beasley run unless he would promise to not vote to submit question.

"See from papers that Gus Heilig is candidate for local Representative and Roger Byrne for floater from Fayette County. They ought to win and will make a good team. Wharton County seems determined to not let Brown go back. Unless they put up one who is all right Lavaca County will take it away from them. Think Geiptner will go back from this county. Our friend J. F. said men like Geiptner could do nothing but vote, and I replied that for that very reason he was O. K., because he would vote right every time and do or say nothing foolish. Will give the Waller, Fort Bend County district, man attention and as soon as Rees reports will if necessary go to Beeville and Victoria." (S-3968.)

Letter Otto Wahrmund to D. A. Paulus, Hallettsville, February 13, 1908:

"I have your recent favor and very sorry indeed that our friend Lipscomb will not make the race; it is too bad. When you hear from George Harder kindly advise me.

"I note that you addressed Mr. Rees of Beeville with reference to Mr. B.'s candidacy. When you hear from him I think that it would be very good idea for you to go there personally to look into the situation, or if you have not the time, could arrange to have our friend J. F. O. do so, as you deem advisable.

"Yes, Gus Heilig will make the race, but am not sure as to R. B. making the race for floater; will know more as to this very soon.

"I note what you say in regard to friend Brown of Wharton, also in regard to Mr. Geiptner of your county, and hope that it will come that way.

"I received copy of Houston paper, and I believe your reply to Cranfill should put some 'backbone' into some of the 'weak-kneed' brothers." (S-3969.)

Excerpt from letter of J. E. Weeden, of the Texas Brewing Company, Fort Worth, Texas, to Zane Cetti, president of the same company, Postlagernd, Mainz, Germany, February 13, 1908:

#### "PROHIBITION

"(A) Enclosed find Ousley's and the Dallas News' editorials tending to show the position these papers will probably drift into, also the old, flabby duck from Cuero sent you a marked copy, which item is also enclosed. Mr. Ivey is out with his statement, which is probably the first and most authentic outline of the campaign which we have so far had." (T-978.) Note—the "flabby duck" referred to in the above is A. S. Crisp.

(Continuation of letter): "\* \* \* I have had several interviews with John King, and I hope to be able to get him to take an active part in the choice of candidates from Tarrant County or this district as he did for us in the last campaign. Below is a list of the holdover Senators, and if you know anything more definite of any of

them, anything for instance, that we may not know of or discover here, would be glad to have you impart it. You will find the letter 'A' opposite the ones which the South Texas people insist are favorable to us:

D. M. Alexander, Weatherford.  
 C. D. Bratchfield, Henderson.  
 W. J. Greer, Wills Point.  
 W. R. Holsey, Powell (A).  
 C. B. Hudspeth, El Paso.  
 E. I. Kelley, Jasper.  
 B. W. Masterson, Galveston (A).  
 E. B. Mayfield, Meridian (A).  
 W. A. Murray, Floresville (A).  
 D. A. Paulus, Hallettsville (A).  
 E. G. Senter, Dallas (A).  
 J. M. Terrell, Daingerfield (D).  
 J. W. Veale, Amarillo.  
 Q. U. Watson, Giddings (A).  
 J. G. Willacy, Corpus Christi (A).

"This you see out of a list of the holdovers gives us ten antis, one doubtful and four pros, which will be sufficient to defeat the constitutional matter in itself. However, it is a fact that D. A. Paulus of Hallettsville has come out in a pretty strong article stating that he was a local optionist, and would vote against the amendment. E. G. Senter has done the same thing. Hudspeth of El Paso and Masterson of Galveston, of course, can be depended on on account of their well-known views, and the districts from which they come—Galveston and El Paso—do not want domination by a central executive committee—they want local self-government. J. G. Willacy, we well know. Thus, on a most conservative consideration of the matter we find five supporters positively to be relied on, and it does seem as if we should be able to get a half dozen more during the campaign." (T-978.)

Letter Otto Wahrmond to B. Adoue, February 13, 1908:

"I beg to advise that we had a long, very long meeting of our committee yesterday and it strikes me, judging by reports received from different sections of the State, that our affairs are in very good shape, and with a little good luck, coupled with continued hard work, we may be able to rout the enemy completely and that very soon.

"I am reliably informed, and on very good authority, and now repeat for your information, that their method of procedure will be as follows:

"First—They will try for State prohibition.

"Secondly—They will make an effort, by legislative enactment, to have the State declared 'dry' and then, by majority vote of districts, permit certain places to vote themselves 'wet' again; in other words, they would permit of local option, completely reversing the present order of things.

"Third—They would separate beer from whiskey.

"Fourth—They would follow in the footsteps of Georgia, and by legislative enactment revoke all license.



"Proposition No. 1 I feel sure they cannot win, and our great danger is in No. 4.

"Their proposal to separate beer from whiskey we can readily understand, their object in so doing being to cause a split in our ranks, at the same time they may forget for the moment how much good this is likely to do us some day.

"If it is possible for you to ascertain, wish you would find out and send me list of the stockholders of the Fort Worth Record, as it is very important that I should know, for reasons which I will explain to you personally when in possession of more facts." (S-3970.)

Letter Arthur Koenig, Pasadena, Cal., to Mr. Otto Wahrmund, San Antonio Brewing Association, 2-18-08:

"Mr. Busch wishes me to thank you for your kind communication of the 13th inst. and to express his appreciation of the evidence of your good work and activity in the common cause which concerns us all in the very highest degree. He read your letter to Mr. Adoue and remarked that it would be a bad thing if you, in the defense of our cause, had to fall from Point No. 1 gradually down to Point No. 4. Should it come to that end, then he would advise to open all the water mains leading into your beautiful Capitol and drown the rascals out like a lot of rats. The only available solution of the question in our favor seems to lie in the prevention of the election to the Texas Legislature of such men that incline to prohibition and in the forcible election of liberal members. It should be the watchword throughout the entire State. The Catholic clergy should be approached and requested to express its opinion on the present prohibition movement, same as was done by Archbishop Gibbons, Baltimore, and Archbishop Glenny, St. Louis. If there is a bishop anywhere in Texas he should be carefully interviewed through channels friendly to our cause and to him and the substance of such interview made public afterwards. This will undoubtedly make a deep impression upon all kinds of people. You will find several references to the clergy that has made front to the prohibition craze, published in my pamphlet, of which we will send you 1,000 copies for distribution. If you want 1,000 more please let us know. Another excellent feature is to make your Board of Trade or Chamber of Commerce act, by introducing resolutions condemning the evil of prohibition and its ruinous and dangerous consequences to the life of business in general, and passing such resolutions for the purpose of publication by the press. Also the rabbies of the Jewish congregation, who always are friendly to us and our industry.

"This all will require much work, perhaps still more caution and last, not least, diplomatic sensitiveness, but we are facing an uncompromising foe, who is absolutely unscrupulous in the selection of means to give battle. We must anticipate wherever we can and we must not be found unprepared by the enemy. Conquer him at all hazards.

"Mr. George Diehl, the agent of August A. Busch Co., Fort Worth, might be able to give you the names of all the stockholders of the Fort Worth Record. I am working with my dear chef day and night on the question 'To be or not to be,' and remain with kindest regards



from Mr. Busch and myself, Yours very sincerely." (S-3989.)

Letter Otto Wahrmund to Arthur Koenig, February 22, 1908:

"I am in receipt of your esteemed favor of the 18th inst., and closely note all you say. The very work which you outline in your letter, almost without an exception, has had our attention for some time past, and we shall continue to do all in our power in that direction until the fight is over.

"I think that I can get the information in regard to the stockholders of the Fort Worth Record from Col. Gresham on his return from Washington, at which time I am to meet him by appointment.

"With kindest personal regards also to our mutual friend, Mr. Adolphus Busch." (S-4007.)

(See S-5424.)

1909.

The following are quotations from a letter dated February 4, 1909, addressed to Thomas F. and Eugene M. Kelley, Chicago, Ill., by the Dallas Brewery:

"I returned home this morning from Austin and San Antonio, to which first mentioned city I visited with the other directors of our State fair, ostensibly to look after the anti-race track gambling bill, but in reality to see Wahrmund and our other friends concerning the bill proposing to amend the Baskin-McGregor law.

"Mr. Wahrmund, who is a member of the House, assures, however, that he has the matter well in hand, but I am inclined to believe that he is being mislead and that he will find when the bill comes up for consideration on the floor that he has been tricked, and that as in the past, he will have to fall back on the Senate for protection.

"When I return from San Antonio I will send you a copy of the bill agreed to, and I am in hopes that same will become a law, but this I doubt very much.

"I would leave before the date above mentioned, but I consider it of the greatest importance to assist in framing a suitable bill for the Fitzhugh bill, as from the talk had with Koehler and Wahrmund personally, and with the Houston people over the phone, it would seem that they are at outs, and that somewhat bitterly, and as I believe by handling the matter carefully that I can get them together, also to prevail on the Fort Worth people to assist, that I had better accompany Judge Eckford to San Antonio, otherwise some very serious mistakes may be made." (D-922.)

The following telegram dated Austin, Texas, February 5th, 1909, from A. S. Crisp to Prince of American Brewery, Houston, Texas:

"House defeated submission with three votes to spare." (A-2572.)  
(See TB-1197.)

The following is a letter dated May 12, 1909, from J. F. Wolters, Houston, Texas, to San Antonio Brewing Association:

"Now that the Legislature is over with it is important that we get together in order to determine what we are going to do with the anti-State-wide prohibition organization of Texas. If it is to be kept up it will have to be financed. A great deal of work will have to be done, and we ought to be doing something.

"I received a letter the other day from Mr. Sam Levy of the Casey-Swasey Company voluntarily suggesting that I let them know what is expected of the wholesalers. He suggested that I communicate with Louis Schneider and have him call a meeting of their association. I have refrained from doing that because I want to be in a position to know what the other interests are going to do, for I know the assistance those gentlemen will render will not be sufficient by any means. Of course, everything helps.

"I called your attention to a letter I have had addressed to every retail liquor and malt dealer in the State. I do not know that we will get anything out of them to amount to anything, but I thought we should call on them, and I issued the enclosed letter without conferring with any one else about it." (S-5430.)

The following is a quotation from a letter dated August 5th, 1909, from John L. Wortham, Dallas, to San Antonio Brewing Association:

"I spent several days recently in Paris on a matter of my own. While there I arranged through Col. Sheb Williams and Walter Wortham to get Fred Dudley to make the race for the Legislature at the next election. We will pit him against the member that laid down on his instructions in the last Legislature.

"Dudley is an anti-prohibitionist, well educated, good public speak, high moral character and very popular in the county. He is the son of ex-State Chairman Judge Jim Dudley. Fred is the present member of the State Democratic Executive Committee. It is his plans to make the race straight against State-wide prohibition. Col. Sheb Williams and Walter both say that he can beat any man in the county for anything. His personal popularity will overcome the present incumbent. He will be a leader in the House, and will be, in my judgment, one of the strongest men we could possibly elect. I had this matter up with him on a former visit and felt I had it arranged, but I know I have it all cinched, and I am feeling good that we have him so much interested. I shall in the same way continue to get out strong young men for the Legislature in the various districts in this section of the State. I want to look after Limestone and Freestone just as soon as the fight is over in Limestone. I feel that this work should be done as early as possible, for to get them out and talking to their friends will, in some instances, at least keep others out of the race. I have been expecting to hear from Jake on his return from the North, but have not had a line. I am curious to know what success he had. If you know anything and feel like communicating it to me I would appreciate a letter." (S-5654.)

1910.

The following is a letter dated January 15, 1910, from Houston Ice and Brewing Association to the Texas Brewing Company:

"I return the Paget and Clough letters. The Clough letter is deserving of a very strong reply at your hands, pointedly saying that Clough's business is to follow the policy directed by his employers, with the further information that the provisions of the Robertson-Fitzhugh law attached was first expressly put into the statutes at the suggestion of the Brewers' Association, the knowledge of which fact should be enough for him to guide his actions." (TB-1364.)

The following letter was addressed by the San Antonio Brewing Association on January 18, 1910, to Judge Monta J. Moore, Cameron, Texas:

"I am sure that you will find the enclosed clipping very interesting reading. It is valuable literature for our cause!

"In conversation had with Mr. A. I. Worley, now representative citizen of our city, formerly of Rockdale, Texas, and well known and influential there, Mr. Koehler and I turned on question of representation. He mentioned a Mr. Looney and R. Todd (formerly Sheriff) as good material. We had delicacy about going into details with him in regard to their prohibition sentiments, so will be glad to hear from you." (S-5968.)

Following is a letter dated February 11, 1910, from the San Antonio Brewing Association to B. Adoue, the head of the Texas Brewers' Association, Galveston, Texas:

"I beg to hand you herewith press clipping which you will find interesting. It is possible that you may have read the same, as the matter has been published in various Southern newspapers, still it may have escaped your attention. If the worst should come to the worst, this is the argument that we will have to make in the event that an attempt should be made to pass the 'quart bill,' that such a law could not be enforced, as there are any number of people who will not be parties to compel a man to make drinking place of alleys, toilet rooms, etc., and such a thing would go a long way towards destroying what we have now, the local option system." (S-5990.)

The following is a letter dated February 14, 1910, from the Dallas Brewery to B. Adoue, head of the Texas Brewers' Association, Galveston, Texas:

"Enclosed find clipping from the Dallas Morning News of February 13th, containing copy of Poindexter's speech delivered at Greenville, Texas. You will note he comes out strong in favor of confining the sale of intoxicating liquors to one quart, or more, not to be drunk on the premises. This is in line with the suggestion of my friend, and about whom I wrote you a few days ago, and it makes it clear that he was right, and that Rankin and others no doubt dictated this part



of Poindexter's platform. The proposed law, I believe, would prove more disastrous to the brewing interests than straight out prohibition, and I hope our friends will see the great necessity of defeating this measure, and will leave no stone unturned to do so.

"I am sending Mr. Autrey and Mr. Wahrmund by this mail a copy of the clipping herewith." (D-1055.)

Following is a letter addressed to Houston Ice and Brewing Co. by the Dallas Brewery, on February 19, 1910:

"Your favor of the 15th inst. to hand and contents noted, and in reply thereto and referring to our conversation over the phone will state that I feel that we are in great danger on what has now become known as the 'QUART LAW,' and I believe all of our forces should be centered in the fight against the proposed law. In my opinion the only effective point at which the fight can be made is in the Senate; hence, as stated in my letter to Mr. Adoue, the employment of the party discussed at the San Antonio meeting might be a wise move if he will devote all of his efforts towards the defeat of the proposed measure. As further stated in my letter to Mr. Adoue, he is, in my opinion, the best man to head the fight, as his record both as a judge and as a private citizen is such that he can very consistantly head the fight on the grounds that it will in a large measure nullify our precinct local option law, of which he is the recognized champion. As to his employment to do general work, I don't think the game is worth the candle, and I am inclined to the opinion that it was suggested more on personal grounds than from a standpoint of usefulness.

"I will be very glad indeed to meet both yourself and Mr. Adoue, and in fact all of our friends, and go over the situation, but just when I will be able to leave home I cannot say, but you can rest assured that I stand ready and willing to do all that I can towards helping along the work." (D-1063.)

The following telegram addressed to the Texas Brewery, Fort Worth, Texas, from Otto Wahrmund, Louis J. Wortham, W. B. Fitzhugh, dated Austin, Texas, Feb. 5, 1909:

"Submission defeated in the House this morning by vote 85 to 45." (TB-1196.)

The following is a quotation from a letter from the Houston Ice & Brewing Company to the San Antonio Brewing Association, dated Feb. 5, 1909:

"I understand that Mr. Adoue, Mr. Cetti and Mr. Koehler, or their representatives and attorneys, are the framers of this bill, and I presume you are looked upon as its champion and advocate of its passage. I believe the very few good features of the bill are much overbalanced by the other vicious, impossible and impractical features, and that it would be best not to pass the bill at all, but to withdraw it, and drop the matter. We have plenty of law on the statute books now that we ought to strictly enforce and cultivate a healthy

public sentiment towards seeking its enforcement, and thus accomplish more than this new law could accomplish." (TT-70-71.)

(See S-3990.)

The following is a letter addressed to Otto Wahrmund, San Antonio Brewing Association, by D. A. Paulus, Feb. 18, 1908:

"My friend A. F. Nees at Beeville has promised to help look after things there, for his all is at stake. Brasley has refused to become a candidate. Bro. Onion can have the assistance of Pool, the present Representative, in getting a suitable man to run.

"In Colorado County, C. A. Allen of Shimek has announced, and Hon. Herder is afraid to tackle him, but says he will see to it that convention adopts a resolution declaring against submission of prohibition amendment. Allen has heretofore served two terms and has always been all right. Am sorry Herder is afraid of all, for he is a good, clean and strong man, such as we need. He is rich, and does not want to run and possibly be defeated, for Allen, too, is well fixed and very popular.

"As matters progress will write you from time to time." (S-3990.)

The following is reply of San Antonio Brewing Association to the letter above from D. A. Paulus, Hallettsville, Texas, 2-19-08:

"I have your esteemed favor of the 18th inst. and appreciate your kind advice. I called Mr. Onion's attention to what you say, especially your reference to Mr. Pool, and I am sure that this will have his immediate attention.

"Yes, it is too bad that we could not get a good man like George Herder to announce for the place, as we had reason to believe that he would, and I have directed Mr. Onion's attention to the fact that unless the other two (2) parties are all right, that something would have to be done, and that at once." (S-3997.)

The following letter was on February 18, 1908, addressed to Mr. Eddie Maier, San Angelo, Texas, by the San Antonio Brewing Association:

"I would like very much to know what interest you good people are taking in the selection and election of members to the next Legislature? Will be very much pleased to hear from you, and remain, with kind wishes." (S-3991.)

The following letter addressed to Eddie Maier, San Angelo, Texas, by the San Antonio Brewing Association on March 20, 1908:

"I have not had the pleasure of hearing from you for some time. What are the good people of the 102d District doing about sending Representative to the next Legislature? I hear through friends that a Mr. Brown Lee (or Brownlee) has announced his candidacy? If so, is he your friend?

"I also understand that a Mr. McKnight of Menardville, Texas,

contemplates making the race. Do you know the gentleman?

"Please let me hear from you." (S-4090.)

(See A-2183.)

On February 20, 1908, the American Brewing Association addressed the following letter to the Houston Ice & Brewing Company:

"Enclosed please find our check No. 5300 for \$40, account T. H. McGregor's February salary, for which kindly sign and return to us the enclosed receipt." (TB-994, TB-995, TB-996.)

On March 21, 1908, the following letter was addressed by the San Antonio Brewing Association to John A. Hulen, Houston, Texas:

"I beg to advise that the Brenham district needs attention. I am informed by friends that a Mr. J. P. Buchanan has about decided to run, and I am also informed that he is a splendid man. Another district that needs attention at once is No. 48, Caldwell, Burleson County, from which a Mr. H. G. Murray has announced. This party, so I am advised, is against State prohibition, but in favor of local option. There is another party, Mr. Gasper Landolf of Somerville, who has about decided to make the race, and from what I hear he is absolutely all right, a good business man, and absolutely safe on question of State prohibition. If you can possibly spare the time, wish that you would see these people at once, and let me know the result, obliging." (S-4096.)

(See TB-1022, TB-1023.)

The following letter was addressed on April 7, 1908, to Sam Morgan, Dallas, Texas, by A. S. Crisp, Cuero, Texas:

"If you will remit the advertising bill of \$100 sent you recently as per our agreement it will greatly help me at a time when I am under heavy campaign and other expenses. We are having a large success in getting our German people ready for the primaries in case the amendment gets on the ticket, but it is taking good work and lots of it. With every good wish for you and the splendid enterprise under your guidance." (D-718.)

On April 12th, 1909, the following letter was addressed to John L. Wortham, Dallas, Texas, by the San Antonio Brewing Association:

"Herewith exchange as promised. Immediately on reaching the House last night, I noticed an attempt on the part of Mason, Lee et al to reconsider the vote on our bill as passed. I was considerably worried about it for a time, especially so as a great many of the antis were not in their seats, nor could they be found in the House, still, with the help of friends on the other side, we succeeded in having the attempt finally dropped.

"We got home all right this morning, and Jennie is feeling pretty good, in fact if she continues to improve as she has for the past few days, I feel confident that she will soon be all right again." (SS-40.)



On April 20, 1908, the following letter was addressed to Walter Gresham, Galveston, Texas, by the San Antonio Brewing Association:

"Your favor of the 18th inst. has been received, and I note particularly what you say with reference to representation in District No. 21, and I shall arrange to call the attention of our committee to this at our next meeting to be held here on Wednesday morning next.

"In regard to Jefferson County, beg to state that I understand that Mr. Adams would ask for re-election, but am advised now that only a short time ago he resigned, and would not be a candidate, and since then I do not know what has been done by Gen. Hulen who has charge of that district.

"I will write you again after our meeting to be held Wednesday." (S-4230.)

On April 24, 1908, the San Antonio Brewing Association addressed the following letter to William Saenger, Beaumont, Texas:

"Noting your letter of introduction of the 22nd inst., have pleasure in advising that it was my fortune to meet your friend Mr. John Chaney, and I had a very pleasant talk with the gentleman, and have now turned him over to Mr. Kauffmann with the admontiiion that he make his stay here just as pleasant as possible, which I am quite sure he would do, aside from my special request.

"I am surely glad to hear that Mr. Chaney has about decided to make the race as Representative from that district, and I sincerely hope that he will, for he is just the caliber of a man that we need, and I am sure that he could do us a whole lot of good!" (S-4249.)

The following letter was addressed to H. Schroeder, Dayton, Texas, on April 27, 1908, by the American Brewing Association:

"On May 2nd, at the primaries, will decide the question who our Representatives at Austin will be for the next two years. It is our aim to inform our friends, wherever possible, of the standing of the different candidates on the question of personal liberty, and against sumptuary laws. We have made a thorough investigation on these questions as to the proper man to elect in your district, and that is Mr. M. W. Harrell of Cleveland.

"We hope that you will use your very best efforts in his behalf." (A-2266.)

On April 28, 1908, the following letter was addressed to Walter Gresham, Galveston, Texas, by the American Brewing Association:

"Mr. M. W. Harrell of Cleveland, Texas, called on us for the purpose of making himself known, declaring his position on the prohibitionist, and in order to further his interest, we have addressed a letter to all of our customers in Liberty County, as per copy herewith enclosed. It was our intention to first communicate with you before writing these letters, but as Mr. Harrell requested immediate action, that inasmuch as he was traveling over the territory, he desired our

letters to be in the hands of our friends before he had an opportunity of using them.

"We hope our action in this matter will meet with your approval." (A-2267.)

On May 11, 1908, the following letter from B. Adoue was addressed to Otto Koehler, San Antonio, Texas:

"For your special information I send herewith Mr. Gresham's letter from Washington, 8th inst., his suggestion might be valuable.

"Also I send Mr. Ballew's letter May 7th and date; he is a very strong anti, powerful speaker and very aggressive. Note his closing sentence: 'If I were able financially to make the race and give time to serve in Legislature I would make the race, but I cannot afford it.' That may be important information for the managers of high-grade politics." (S-4324.)

On May 12, 1908, the San Antonio Brewing Association wrote B. Adoue, as follows:

"Your letter of the 11th inst., with enclosures as advised, has been duly received, and for which I thank you.

"Mr. Ballew's letter to Capt. Paget is very interesting reading, and I have kept same in order to show it to Senator Willacy, with whom I have an appointment at this office for tomorrow.

"I also note Col. Gresham's letter, and while this question of senatorial district has been talked of, I am not certain that any definite action has been taken on the suggestion, so I will retain the Gresham letter also, in order to go over it with Senator Willacy. The suggestion is surely a good one, and if we can push it through the executive committee in that shape, my opinion is that we will have no trouble in winning out. I will let you know what Senator Willacy thinks of it.

"Mr. Ballew's proposition will also be laid before the committee at its next meeting, and I will let you know what they have to say and think of it. He is a shrewd and very able man, and we should by all means have him if we can afford to do so. If we can possibly swing it, we should get men like him in our columns, if they think that he can win out." (S-4329.)

The following is an excerpt from a letter written to Quirine Perales of Encinal, Texas, May 14, 1908, by the San Antonio Brewing Association:

"\* \* \* We are forever and eternally trying to protect you, spending our time and good money in fighting adverse legislation, local option and prohibition, thus permitting you to continue in business. \* \* \*" (S-4345.)

Letter written May 21, 1908, by S. T. Morgan of the Dallas Brewery to R. N. Stafford, Mineola, Texas:

"Mr. B. M. Briggs, an attorney of Gilmer, Texas, was in the city

today and in conversation had with him I am of the opinion he could be prevailed on to run for the Legislature in his county. Do you think he could be elected?

"Mr. Briggs has always been a strong anti, and as Gilmer is in your territory I thought it advisable to advise you in the premises, and if you think the matter is of importance you could have Mr. Briggs come to see you, which I believe would be better than for you to go to Gilmer.

"Please understand that the above is only a suggestion on my part, and knowing that you are thoroughly familiar with conditions in Upshur County I take the liberty of referring the matter to you." (D-750.)

On May 24, 1908, R. N. Stafford wrote Mr. Morgan as follows:

"Yours received, for which accept my thanks. I have taken up the matter with him and think he will run. The other man who will run against him is with us, however, but I prefer Barney.

"Everything is looking good to us, but of course we must not be too sanguine but keep at work." (D-757.)

Copy of letter from S. Maier, Palestine, to Otto Wahrmond, San Antonio, June 1, 1908:

"Please inform Judge Onion that Mr. C. C. Stokes of Crockett, candidate for State Senator, signed the petition for submission and declared himself a State prohibitionist; there is no mistake about this. Am very much disappointed in the man; I know neither yourself nor Mr. Onion will be much surprised; in my opinion Stokes is playing politics; he was anti-Bailey and inasmuch that Cherokee and Houston County are both strong anti-Bailey he expects to be elected without this (Anderson County). Can't we get someone to make the race against him? Please give this your attention and oblige." (S-4423.) (Reese Fowler.)

G. H. Luedde, Waco, wrote Otto Wahrmond, San Antonio, on June 5, 1908, as follows:

"Enclosed find letter in reply to one I wrote to Mr. Hoover, the father of W. S. Hoover, who is our agent. I talked to him by phone today and he assured me that both A. W. Hoover, and his former partner, Mat Smith, and himself were all strong supporters of Mr. Peeler, although they had been anti-Bailey men, but that Bailey or anti-Bailey would cut no figure when it came to a man that was a supporter of interests identical with their own. If there is anything further that i can do. \* \* \*" (S-4436.)

The San Antonio Brewing Association wrote Mr. G. H. Luedde, on June 8, 1908, as follows:

"I am in receipt of your favor of the 6th inst., with enclosure, as advised, for which I beg to thank you!

"Noting and appreciating your further remarks, beg to state that



I am glad that they take that view of it, and I hope that they will all do that." (S-4445.)

Excerpt from a letter written by the San Antonio Brewing Association to B. Adoue, dated June 8, 1908:

"I expect soon to be in a position to furnish the association with a list of the names of all of the candidates for the Senate and House, and also to advise how they stand on this important issue.

"I hope that you will get proxy from Mr. Harris, to someone that he is friendly to our interests, in case that it should develop that we need the same, so that we may be in a position to rally all of our friends to our support. I have always been somewhat suspicious, and now feel pretty sure, that his convictions are with the other side." (S-4444.)

(See S-4466, S-4467.)

The following letter was written by the American Brewing Association on June 17, 1908, to Otto Wahrmond:

"We herewith beg to enclose letter received from our wholesale dealer at Teague, Texas, with reference to two candidates for the senatorial honors. We beg to submit same to you for your due consideration." (S-4481.)

Copy of letter dated June 17, 1908, written by J. H. Lilienthal to Houston Ice & Brewing Association:

"Herewith our check for \$40, account T. H. McGregor's salary, for which please mail us receipt, obliging." (A-2316.)

On June 30, 1908, R. L. Autrey of the Houston Ice & Brewing Company wrote the American Brewing Association as follows:

"I hand you herewith, contract in triplicate with Duncan and McGregor, let me know at once if you approve it, and we will sign it, because we have to act immediately." (A-2348.)

The American Brewing Association wrote the Houston Ice & Brewing Company as follows, on July 4, 1908:

"We beg to advise that we have signed the contract in triplicate with the Hon. T. H. McGregor, mailing one copy to him, retaining one ourselves, the third being enclosed herewith for your files." (A-2351.)

On July 4, 1908, the American Brewing Association wrote Hon. T. H. McGregor, Houston, the following letter:

"We beg to advise that we have executed in triplicate the contract between yourself, the Houston Ice & Brewing Company and this association. We enclose herewith your copy, having mailed a copy to the Houston Ice & Brewing Company, and retained one for our files." (A-2352.)

The American Brewing Association wrote Houston Ice & Brewing

Company on October 27, 1908, as follows:

"Herewith our check for \$80 covering T. H. McGregor's salary for the months of September and October, as per your invoice also enclosed which please receipt and return to us, obliging." (A-2478.)

On November 17, 1908, the American Brewing Association wrote the Houston Ice & Brewing Company, as follows:

"Herewith our check for \$40 to cover T. H. McGregor's salary for the month of November, as per invoice enclosed, which please receipt and return to us, obliging." (A-2504.)

T. H. McGregor, Austin, Texas, on May 22, 1911, wrote the American Brewing Company the following letter:

"My firm is representing the patrons of the Houston Ice & Brewing Company before the Comptroller at this place in the procuring of permits to have license. My former professional and pleasant relations with you led me to believe that possibly you might desire us to represent you here in the same capacity. If you do, we will take pleasure in representing you upon the same terms we do the Houston Ice & Brewing Company. We have no objection to your taking this matter up with Mr. Autrey as to those terms if you want us to look after your interests here. We assume, of course, that there can be no conflict between your interests and the interests of the Magnolia Brewing Company." (A-3261.)

The following is a copy of letter from the Cuero Daily and Weekly Star to Col. H. Prince, dated July 1, 1914:

"Enclosed find bill for second half of our annual advertising contract as agreed.

"Governor Davidson, myself and others are shaping up things all right in this section and I believe our interests are in as good fix as could be desired. If I am able to judge, the outlook over the State improves every day. I shall attend the fourth at a big rally of antis at one of the populous points in the county. With best wishes for yourself and Mr. Lilienthal." (A-3867.)

(See S-4510, S-4511.)

On June 21, 1908, San Antonio Brewing Association wrote R. L. Autrey as follows:

"I beg to hand you herewith a list of the members of the Senate and House. Mr. Onion promised to send copy to you and Col. Gresham, so if you received one from him, kindly return to me the enclosed. The code is 'A' stands for anti, 'B' pro, and 'C' doubtful.

"Pardon me for mentioning it, Mr. Autrey, but this is a very sacred document." (Z-4518.)

On June 22 the following letter was written from the Anti-Prohibition League of Texas to Otto Wahrmund of the San Antonio Brewing Association, letter being signed "Willacy":

"Reached here this a. m., will be glad to see you and Mr. Wurzbach at any time. I suggest that you insert the following answer to the seven questions in your own handwriting and send it in to headquarters. Show it to your local labor leader before sending it. Your friend, Willacy."

"No. 1—Answer: Every child has a rightful inheritance to an education and our laws should be amended so as to assure this legacy as well as necessity to our growing generation. I will favor such a law

No. 2—Labor, one of the great foundation stones of our whole social structure stands second in importance to none. Like agriculture, it is best protected where best safeguarded. This can only be done when fully informed of all matters affecting labor. A good bill.

"No. 3—This is a just proposition. It is in the interest of humanity and protection against injury. I will support it.

"No. 4—A reasonable proposition, equally important to trainmen, passenger and property. It ought to be the law.

"No. 5—If a safety appliance can be substituted for the dangerous practice of crawling under the engine to clean the ash pan, I shall support it.

"No. 6—This is a good law and there is no good reason why the employe should not have such clearance or letter.

"No. 7—I shall certainly oppose the repeal of the present law. Wages of the head of family are necessary to the comfort and education of the children and by right belongs to the family." (S-4527.)

On June 24, 1908, G. H. Luedde wrote Otto Wahrmund the following letter:

"Enclosed find letter from Mr. O. Paget, Galveston, Texas, which explains itself, and you will notice one part of the letter which I have underscored, which it says 'See that Brother Kennedy does not get back.'

"Now my understanding with you was that Mr. Kennedy was O. K. Write me about this so that I will know what to do, and also return me the enclosed letter." (S-4541.)

The San Antonio Brewing Association, by Otto Wahrmund, wrote G. H. Luedde, on June 26, 1908, as follows:

"Noting your favor of the 24th inst., and returning letter of Capt. Paget herewith, beg to state that I thought that it was distinctly understood, and I wish that you would impress this on Capt. Paget, that this matter is entirely in the hands of our committee." (S-4556.)

S. T. Morgan of the Dallas Brewery on June 27, 1908, wrote J. M. Newberry of Cleburne, Texas, the following letter:

"Will you please give me the names of the gentlemen running for the Legislature from your county, and also state whether they are in favor of State-wide prohibition or whether they are in favor of our present system of local option. Give me this information at your



earliest convenience and treat this communication strictly confidential." (D-805.)

On June 29, 1908, S. T. Morgan wrote Walter Gresham of Galveston the following:

"Replying to your favor of the 26th inst. will state that I have written a friend in Johnson County for the information asked for in your letter, and soon as I hear from him will write you further. I will also make inquiry from the few wholesale dealers that we have as to how the candidates stand in their localities, but as about all of North Texas is dry, and we having only a few wholesale dealers I will be unable to get much information through this course. \* \* \*

"\* \* \* The Dallas News of Sunday, June 28th, contained almost a complete list of the candidates running for both the Senate and the House, and this list will no doubt give you some information that you desire and if the list did not appear in the Galveston News, let me know and I will send you a copy of the Dallas News." (D-807.)

S. T. Morgan on July 18, 1908, wrote Walter Gresham as follows:

"Replying further to your favor of recent date inquiring about conditions in Johnson County, I hand you herewith letter from J. M. Newberry, which is self-explanatory.

"I am not acquainted with any of the parties in the race for Representative from Johnson County, but it would seem they all favor State-wide prohibition.

"It seems to me that whoever is looking after this part of the work should take the Johnson County situation in hand, as it is more than likely one of the three men in the race could be prevailed on to see the error of his way, and by having the antis unite on him he could secure the nomination.

"If there is anything further that I can do in the matter let me know and I will get busy at once." (D-828.)

The San Antonio Brewing Association on July 13, 1908, wrote B. Adoue as follows:

"I arrived here this morning, and regret and was very much surprised to learn that a gentleman by the name of Hunt from your city had been upon the Limestone County senatorial district, and while there mixed up considerably in the race for Senator of the district by advocating the election of the gentleman running against Senator Harper. By whose authority, or at whose request Mr. Hunt visited the district above mentioned I cannot say, but Col. Gresham has a lot of correspondence on the subject which he very kindly sent to Mr. Wortham here. Mr. Wortham has replied at length, and I believe if you will look over the correspondence and confer with Col. Gresham, you will agree that a very serious mistake has been made.

"Will also state that I am advised that Mr. Paget and Mr. Linthicum were in the city of Gainesville a few days ago. What their business was I cannot say, but if it has any connection whatever with the

State campaign, I most respectfully and earnestly request that you instruct Mr. Paget to have nothing whatever to say concerning State matters, unless he is requested to do so by either Mr. Wortham or Senator Willacy, otherwise serious mistakes may be made.

"Our committee, I feel has the situation well in hand, and if not interfered with, have good grounds to look forward to favorable results, but you know the committee is composed of gentlemen who must not be interfered with, and I trust that you will at once investigate the visit of both Mr. Hunt and Mr. Paget and especially Mr. Hunt, and insist on his remaining at home, and in no way interfere with the Limestone County district." (S-4642.)

Letter from San Antonio Brewing Association to Adoue, Texas Brewers' Association, 7-14-08:

"I beg to hand you herewith carbon copy of letter which I wrote you from Dallas yesterday and I regret very much indeed that you did not receive the same today as it is extremely important that you should, and I again repeat that it is extremely important that the work of our committee be not interfered with in any sense by anybody, otherwise our plans are likely to be all disrupted. This is something that I would not think of doing myself, and to show you how extremely careful I am, even when I go to Dallas, I do not call on our people, but meet them by appointment some place else.

"I do not know this gentleman, Mr. Hunt, who is referred to, nor do I know Mr. Linthicum very well. Mr. Paget has ever been very kind to me, and there is absolutely no personal feeling involved, only I know what the result is likely to be if they are interfered with in any manner, so I sincerely hope that there will not be a repetition and that you will not permit it.

"The Cook County situation does not look good to me at all, and I am sorry to say so, and will candidly admit that it might have been otherwise but for the stubbornness of one man, and that one man is connected with or in our line of business. As stated, it might have been otherwise, but we will have to make the best of the situation now, and simply hope for the best. As far as the work of Mr. Paget in that particular section is concerned, will say to you personally that it is very much on the 'red flag' order, that is something or has something of the effect of waving a red flag at a bull, for the moment his name is mentioned they all go up in the air, so to speak.

"I cannot impress it on you too strongly that you must not brook any interference with the work of our committee." (S-4818.)

Letter from B. Adoue, head of Texas Brewers' Association, Galveston, Texas, to Otto Wahrmond, 7-15-08:

"Your letter 13th from Dallas reached my desk this morning. There is no reason or excuse for Mr. Paget interfering with our North Texas managers and I shall keep him off that district or in fact he has no right to intrude in high-grade politics.

"You mention Mr. Hunt mixing up things in Limestone County. Never heard of him before, and knew not where from he started.

"About Paget and Linthicum's visit to Gainesville both went at the request of somebody—I know not who, shall try to get information and advise you." (S-4654.)

Letter from San Antonio Brewing Association to B. Adoue, Texas Brewers' Association, 7-15-08:

"Referring to our phone conversation, even date, beg to state that I regretted having to call you to the phone, and especially is this the case when the connection is bad, still, considering our interests, I felt that this should be done, for to write letters on these various subjects involves a great deal of time and it is not advisable to telegraph in regard to such matters.

"As far as Paget having gone to Gainesville at suggestion of Gen. Hulen, that was certainly a great mistake, for that is separate and distinct from our organization and the bureau is in charge of Senator Willacy and Mr. Wortham. Of course we are here to help them and gladly do so when asked for advice, as they are entitled to receive it, but so far we have made absolutely no attempt to do anything without their full knowledge and consent." (S-4659.)

Letter from San Antonio Brewing Association to B. Adoue, Texas Brewers' Association, 7-17-08:

"I beg to return herewith Capt. Paget's letter and I am sorry to note that he has taken an entirely wrong view of the matters. I hardly think that his communication is couched in proper terms, either, for right at the beginning he speaks of Col. Gresham agreeing with him, that nothing should be done in the Cook County senatorship and winds up his letter very sarcastically all of which I feel is entirely uncalled for, for as I explained to you before, there is no personality involved in these matters. What we are doing is with a view of obtaining proper results, and if I thought for one minute that the Capt. was the man to handle it, I would be the last man in the world to say nay." (S-4677.)

Letter from B. Adoue, Texas Brewers' Association, to Otto Wahr-  
mund, 7-18-08:

"At a conference this morning in my office, Mr. Gresham and Paget being present, a clear explanation of the Hunter (not Hunt) Paget-Gresham-Wortham controversy was secured. All parties have been working for the election of an anti-prohibitionist; Boyd and Harper are antis. Hunter is a person in Leon County and a supporter of Boyd. Gresham has been working first with Willacy and last with Wortham to clear the situation.

"At Dallas Mr. Wortham requested Gresham to send for Hunter and for Monta Moore, and in turn Mr. Gresham asked Paget to bring them to Dallas which they did.

"Gresham and Paget succeeded in getting from Hunter the promise of supporting Wortham's candidate, Harper, but for reason of his own, Mr. Wortham refuses to meet Hunter.

"Gresham and Paget straightened things with Mr. Monta Moore,



who promised to call on Mr. Wortham for final adjustments, and there we are.

"Like Mr. Gresham, Mr. Paget reports surface indications favorable for defeat of submission. Amen." (S-4683.)

Letter from San Antonio Brewing Association to John G. Willacy, Austin, 7-18-08:

"I beg to hand you herewith letter from our mutual friend, Hon. J. J. Walters, with enclosure of letter from Mr. Parr, both of which are self-explanatory.

"I have written him that I would refer communications to you as this was in your district, which I am now doing and would respectfully request your kind attention." (S-4657.)

Letter from San Antonio Brewing Association to Willenbrock Bros., Fratt, Texas, 7-16-08:

"I take the liberty of advising you that I am a candidate for the Legislature from Bexar County, place No. 2, and respectfully solicit your support.

"I was in hopes that I might be able to spare the time to call on you in person, advise you as to my intentions, have friendly talk in regard to the issues, but I am so busy here fighting State prohibition that I find it simply out of the question, which, of course I regret very much.

"As stated, however, I respectfully solicit your support and I hope that you and the rest of my friends in that vicinity will look out for my interests at the polls on the day of election, the 25th instant.

"Thanking you in advance for the consideration and hoping to have the pleasure of hearing from you favorably, I beg to remain." (S-4664.)

(See S-4674, S-4681.)

Excerpt from letter of San Antonio Brewing Association to B. Adoue, Texas Brewers' Association, 7-27-08:

"Judge Weinert has been elected by a large majority in the Seguin district. Peeler in the Austin district and Hume in the Senate from Houston district, and as regards members of the House from present indications we have done remarkably well." (S-4726.)

Excerpt from letter from S. T. Morgan, Dallas, to Otto Wahrmund, San Antonio, 8-1-08:

"I have just come from our county convention and am glad to report that a good majority of the delegates are against submission and that we have some good friends in the delegation, namely. \* \* \* I am sorry to say that we were unable to get our friend \* \* \* named as one of the delegates, there being some little opposition to him on account of the active part he has taken in the campaign just closed. Further, it was also contended that if he was named as one of the delegates that some of the prohibitionists might contend that Sterling

P. Strong, their leader, should also be named as one of the delegates. Speaking confidentially will say that in my opinion the reason that he was not named as a delegate was on account of the objections of one of the committee to the effect that he was on the payroll of the anti organization." (D-834.)

Excerpt from letter from Carl Kirchner, El Paso, to San Antonio Brewing Association, 7-29-08:

"We have had a very bitter local fight but every man on our ticket was elected, also as anticipated we gave you a large vote against submission, in that connection what do you think the pros will do now that they have been defeated; their future action may have a great deal to do with your future policy in El Paso in the way of investments, and etc. Do you think they will try it again next election or in the Legislature which convenes in January next?"

Excerpts from letter from San Antonio Brewing Association to B. Adoue, 7-29-08:

"I do not think that we should defer meeting until final returns come in, for I am sure that there can be no possible question as to our having them defeated on question of submission, for in order to have won, they would have to have, according to law, a majority of all the votes cast, and this in the face of advice which I have from Mr. Wortham it is absolutely impossible for them to obtain; in fact, I think that we have them defeated on a straight vote, for we were 9,000 ahead of them yesterday. Today our majority is not so large, some 5,000 or 6,000 votes, and while the ultimate result, as far as majority is concerned, may not be as large as some of us would like to have it, still, I feel that there is no occasion to worry over the final result.

"As far as I can tell, it will require about \$9,000 in order to settle up my affairs. It may not take quite that much but if not, the excess will be accounted for in the usual way. When you wire me tomorrow, in regard to the proposed meeting, I wish that you would also give me permission to draw on you for that amount.

"If my calculations are correct, and the information which I have is right, then our expenses in this contest will be considerably less than we thought they would be." (S-4741-4742.)

The following is a letter written to Texas Brewing Company at Fort Worth by San Antonio Brewing Company, dated 7-29-08:

"The probability is that there will be a meeting of the members of the Texas Brewers' Association in that city on Friday next, the 31st inst., and I am sending you this notice in advance in order that you may be prepared to attend it on receipt of my definite advice which I hope to be in a position to give you by wire tomorrow morning, this, in order that it may not be necessary for me to make my telegram so long.

"As stated, I hope to be able to advise you definitely by wire tomorrow morning, and in the event that the meeting is held, it will

be on Friday morning next, the 31st inst., at the Casino Hall, this city, at 10 a. m." (S-4743.)

The following is a letter written by the San Antonio Brewing Association to S. T. Morgan, dated 7-31-08:

"I have your favor of the 30th inst., which I appreciate, and will state that I wrote you yesterday that the proposed meeting was off for the time being.

"As stated, I am sorry that a business engagement will prevent my being here Sunday, so I suggest that meeting be held Wednesday or Thursday next, and I hope that all interested will be able to attend by about that time." (S-4766.)

The following is an excerpt from a letter written by Carl Kirchner, Representative, while at El Paso, to San Antonio Brewing Association, dated 7-30-08:

"I am writing Senator Willacy today about our delegates to the State convention in San Antonio and in a few days will write you and him a letter of introduction to them. No one will go from here as a delegate who is not an anti-prohibitionist." (S-4747.)

The following is an excerpt from a letter written by O. Paget to B. Adoue, dated 8-1-08:

"If my advice counts for anything I would urge as strongly as I know how that our people do not bring on any State-wide conflict nor discuss it. It will react against us later. If a fight is to be made, make it at the State convention in San Antonio.

"Amongst the other work of the office we handled the local situation politically, and the results, as the figures show, are very satisfactory and also organized and conducted successfully in Houston—one of the largest torchlight processions ever seen in the State at a very trifling expense." (S-4771.)

The following is a letter written by Walter Gresham of Galveston to Otto Wahrmond of San Antonio, dated 8-3-08:

"Will there be a meeting of some of our friends before the convention assembles for the purpose of outlining a program? I infer as much from a circular letter from Mr. Willacy, although he did not so state. If there is to be a meeting, there are one or two of our friends which I think it would be well to invite to be with us. I am just in receipt of a letter from Mr. Trenchman of Austin County, and if there is no objection, and you will indicate the time and place where we should hold the conference I would like to write him upon the subject." (S-4774.)

The following is a quotation from a letter written by B. Adoue of Galveston to San Antonio Brewing Association, dated 8-3-08:

"I spent yesterday at Houston. Hamilton agrees with me relative to going to San Antonio unless you have a specific item requiring the



members' presence, we favor postponement until after the 11th, when we will know result of the convention.

"I hope you will kill dead the movement reported to have been started by our managers about working for the State-wide prohibition amendment, we do not want it.

"The prohibitionists are working to control the Democratic convention. We are sending anti delegates from here. Mr. Gresham is one of them. Do you want him to go to San Antonio this week? You know he is a master-hand in framing resolutions." (S-4775.)

The following is a letter written by San Antonio Brewing Association to Col. Walter Gresham of Galveston, dated 8-4-08:

"I am in receipt of your favor of the 3rd inst., and am always glad to hear from you.

"There will be a meeting and conference of quite a number of our friends in this city on Monday next, the 10th inst., at the Casino Hall at 10 a. m. and if you can arrange it, would appreciate your meeting with us, also to have as many of your friends with us as it may be possible for you to bring along." (S-4778.)

The following is a letter written by San Antonio Brewing Association to S. T. Morgan, Dallas, Texas, dated 8-4-08:

"I beg to advise having returned this morning, and I have just wired you, now confirming:

"'Meeting has been postponed until after the convention,' which telegram I hope you received to permit of your making your arrangements accordingly." (S-4783.)

The following is a quotation from a letter written by the San Antonio Brewing Association to B. Adoue, Galveston, dated 8-4-08:

"I wrote to Col. Gresham today advising him that we would have a meeting and conference of large number of our friends at the Casino Hall, this city, on Monday next, the 10th inst., at 10 a. m. at which time we will be glad to meet him, and if he can induce a number of his friends to come along, will be glad to have them with us as well.

"I got back home this morning, at 9:30 a. m., and wired you promptly that I thought it best to postpone our meeting until after the convention, and a short time thereafter I received your letter with reference to the same, and I fully agree with you, in that it would be best for us to await result of the convention before calling meeting.

"I must confess that I am very much disappointed at the way things are turning. Up to last Saturday evening we were in splendid shape, still, our friends insist that there is but one way for it to end and that is that submission has been defeated, but it looks as though it is doubtful if we will beat them on a straight vote. We may and may not.

"There certainly must be some mistake or misunderstanding as to the report that anyone connected or associated with us should be in

favor of submission, but there is always more or less talk for right here at home in connection with the late election, there are certain things that have not been forgotten and there is talk of doing all manner of dire things, still I hope that by the time the convention meets that it will pull in but one direction and that is against submission." (S-4784.)

The following is a letter written by San Antonio Brewing Association to S. R. Scott, Waco, Texas, dated 8-4-08:

"I beg to advise that we will have meeting and conference of quite a number of our friends in this city on Monday next, the 10th inst., at 10 a. m., at the Casino Hall, at which time and place we hope to have the pleasure of seeing you, and I hope that you will also bring all of the friends that you possibly can with you.

"Please do not forget that we are also to have meeting at our office here on Sunday morning next at the same hour." (S-4786.)

The following is a letter written by San Antonio Brewing Association to B. Adoue, Galveston, dated 8-5-08:

"Yes, I am confident that they will try their utmost regardless of what the official count may be, and our friends are now very active preparing to meet them at the proper time.

"Yes, the 'L' district we not only lost, but I am very sorry to say that from reports which I have received, he made other very serious mistakes." (S-4789.)

The following is a letter written by San Antonio Brewing Association to Hon. Jake Wolters, Houston, dated 8-14-08:

"I have been told that some of our very best anti friends are somewhat inclined to permit the Legislature pass a resolution submitting the question of prohibition to the people of Texas. This, we must not do, and I sincerely hope that you will do all possible and help me to prevent it, for I am not a bit afraid of the result of the question at Austin." (S-4816.)

The following is a quotation from a letter written to San Antonio Brewing Association by S. T. Morgan, dated 9-18-08:

"I had a long talk a few days ago with our friend Mr. Wortham, and he is somewhat blue over the outlook and disagrees with some of our friends who it would seem are in favor of having the next Legislature submit the amendment. I agree with him on this point and believe that we should contest every inch of the ground and if it is possible to defeat a submission of the question that we should do so, for everyone admits that the prohibition wave is now at its height. Furthermore, that they believe that in two or three years the craze will have to a large extent spent its force, and that we would stand a much better chance of winning in two or three years than we would next year, which as you know, will be, politically speaking, an off-year, and again the people are tired and disgusted with so much politics

considering what they have had to contend with since the last Legislature. Again two years grace will give us time to get in some better financial condition, and this is also true of the merchants, bankers and property owners, all of whom have been more or less affected by the panic of last year and are still in an uneasy frame of mind, and do not feel like helping out any proposition calling for a donation or work that will bring them out in the open. Your experience tells you that the prohibitionists are uncompromising and that if you give them an inch that they will take a mile, so I think we have all to gain and nothing to lose by scrapping them from start to finish, and if we have sufficient number of members in both or either House to defeat the submission of the submission question I think we should do so. The above you will understand is only my personal and individual opinion and those holding contrary views may be better posted on the question than I am, and of course if we were sure of winning it would be better to let the fight commence at as early date as possible, but there is a great uncertainty as to the results. Hence, I am of the opinion that we should not take any chances. Some of our best business men in this part of the State hold contrary views to mine, and they are men of exceptionally good judgment, but I don't think they understand the situation or the disposition of the pros." (D-847.)

Letter, S. T. Morgan, Dallas Brewery, to San Antonio Brewing Association, 10-17-08:

"The last time I had a talk with our friends, Senator Willacy and Senator Stafford, it was suggested that it would be a very wise and practicable move to have several broad-gauged, liberal and level-headed men who will be members of the next Senate and House of Representatives to visit the prohibition States, especially Oklahoma, Alabama, Georgia, North Carolina and Mississippi, and from personal observation and investigation ascertain the practicable workings of prohibition in said States and to observe to what extent the prohibition laws recently adopted are actually prohibiting the sale of intoxicating liquors, and to what extent the people are satisfied with said laws. It was also suggested that the funds necessary to make the investigation should come from the business interests and property owners and that no one directly or indirectly interested in the liquor business should contribute one cent towards such expenses, in order that the men making the investigation could get up on the floor of either House and not only speak from personal knowledge, but could say they made the investigation at the request and expense of the business men and property owners of this State. If this proposition meets with your approval I think we should get some of our business men to take the matter in hand at once, as it will require at least thirty days to cover intelligently the territory mentioned. I think we should in particular try and get some of the business men of this city to prevail on the Senator from this district, the Honorable E. G. Senter, who is an ex-newspaper man and a good writer, to join in this work. He has always been put down as an anti, and while this county voted against submission, the senatorial district as a whole voted in favor of submission by a small ma-



jority, and I have to this date been unable to ascertain what views he holds on the question of submission. Several of our strong friends, namely, Ben Cabell, and others are very close to Mr. Senter and they being such strong antis I believe can induce him to take the work in hand and to not only cover the territory above mentioned but get his findings by the letter or news item route in most, if not all, of the papers of this State, for as above stated, Mr. Senter is an ex-newspaper man and a good one at that, and I feel satisfied could get much interesting reading matter in most of the Texas papers, also that same would be in opposition to submission.

"The above is a suggestion called to my attention by our two friends first above mentioned and I believe if carried out properly will get far-reaching and practical results." (D-863.)

Letter, S. T. Morgan, Dallas Brewery, to John L. Wortham, Dallas, 10-17-08:

"Enclosed find copy of letter which is self-explanatory. What do you think of the suggestion therein made? Don't you think that we had better take time by the 'forelock' and commence to get up data from our nearby Southern States, which data in my opinion will most strongly appeal to our opponents, especially those that are fair-minded and have not as yet become set in their opinion, than any data that we could get up from the Northern States, or from the liberal use of facts and figures that have been printed and circulated on the prohibition question for several years past; that is, by getting the information from the States I have suggested, same in my opinion will not only be favorable to our cause, but will at least tend to convince them that it would be to the best interest of Texas to at least wait and see what the results will be in the other Southern States.

"Should you wish to go over the matter touched on in the enclosed letter personally, phone me and I will come up and see you at any time you may suggest." (D-866.)

Letter, B. Adoue, Texas Brewers' Association to S. T. Morgan, Dallas Brewery, 10-30-08:

"I need help. Mr. Vahlkamp has asked me to make a report on the proceedings of the Dallas meeting. The only answer I can make is 'damphine.' Can and will you assist me? What did we do? What impression did you retain from the meeting and what do you think other members thought of the proceedings? Now be good, play secretary and help me make a report. Bear in mind it was an Althan's meeting."

(Vahlkamp, mentioned in the letter above, is an officer of Wm. J. Lemp Brewing Co., St. Louis; Althans is an officer of the Anheuser-Busch Brewing Association, St. Louis.) (D-875.)

Letter S. T. Morgan, Dallas Brewery, to B. Adoue, Texas Brewers' Association, 11-4-08:

"Replying to your favor of October 30th, will state that I regret that I am unable to give you a very intelligent report of the meeting

held in this city on Saturday, October 24th, for, as you will remember, I was in and out a great deal. However, I will say that in my judgment no definite conclusions were reached, as the discussions cover a wide range, the main question discussed being the manner in which the Miller Brewing Company of Milwaukee are endeavoring to enter the Texas market. This discussion was mainly between the Miller representative and the representatives of the Texas Brewing Company and the Houston breweries.

"The report on future legislation while indefinite was somewhat encouraging.

"The above is about all the information I can give you, and I would suggest that you confer with Mr. Autrey, who no doubt can give you more of the details than I can." (D-876.)

Letter S. T. Morgan, Dallas Brewery, to San Antonio Brewing Association, 11-12-08:

"I have been talking over with Mr. John L. Wortham and some of our other good friends the prohibition submission situation in the north, east and central part of the State, and they are of the opinion that the anti-submissionists should get busy at an early date as possible and effect a strong, active organization with the object in view to back up and encourage those members of both houses from districts that voted against submission. The submissionists have kept their organization intact, and by working day and night seek to strengthen same in every way possible, not only with their friends and those members of both houses from districts that voted in favor of submission, but they are working particularly with and bringing much pressure to bear on members of both houses from those districts that voted against submission with the full intent and purpose of prevailing on them to vote for submission regardless of the primary vote on the question.

"With the action of quite a number of the members of both houses of the last Legislature relative to a certain very prominent citizen of this State and in connection with his re-election, the question of primary instruction, its binding force morally and politically was discussed at length on the floor of both houses, and in the press still fresh in our minds, it is unnecessary to remind you that it is more than likely some of the members elected may be inclined to ignore the primary vote, and vote their personal convictions, especially if one side urges them strongly and the other side remains silent. Hence, being a strong believer in the old adage that 'A stitch in times saves nine,' I am of the opinion that we should not overlook the importance of a strong, active organization that will get to work with all of our friends and especially with those members of the Senate and House whose districts voted against submission, and encourage them to stand fast and vote against the proposition, as instructed so to do in the primaries.

"I think the organization should confer with every member of the House and Senate, and that soon as possible, and ascertain if there be any who do not intend to carry out the instructions given in the primaries, and if any be found who are inclined to ignore such in-



structions the organization should work to get them back in line and encourage them in every way possible to carry out the will of their constituents as expressed at the primaries.

"I believe you will appreciate the danger in remaining idle, and that you will see the importance of taking the necessary steps to encourage our friends and keep them in line for the fight that will be sure to come up soon as the Legislature convenes.

"Our friends in North, East and Central Texas will need all the encouragement they can get, for I am of the opinion the pros will seek to win the fight with the aid of the women and children the same as they did in Georgia and other States; that is, you know if the pros crowd the capital with women and children who, of course, will be instructed to appeal only to members from districts that voted against submission, that they will more than likely win over some of them, especially members from districts wherein the vote was close, and where the respective Representatives hold personal views favoring submission. I sent copy this letter to Mr. Adoue and write him as per carbon enclosed." (D-878.)

Letter S. T. Morgan, Dallas Brewery, to San Antonio Brewing Association, 11-27-08:

"Your favor of the 23rd inst. to hand and contents carefully noted, and like yourself, I do not know the position taken on the submission question by people that we have always looked upon as being our friends, as I understand from Mr. Adoue that Mr. Walters is strictly in favor of submission.

"I had a talk today with Mr. Wortham, and he says that he understands there is some dissatisfaction in the anti-submission organization that will meet here tomorrow and that he will do everything possible to hold all of our friends in line and have the meeting not only a harmonious one, but to present a strong front and in no way show any weakness, and that he will give Mr. Wahrmund a full report of the meeting along with any suggestions that he may have to make.

"I turned the article enclosed in your letter over to Mr. Wortham, and we will both make every effort to have same published in tomorrow morning's News, but we are very much in doubt if we will be able to get the News to copy the article without having same appear as paid matter, and if this is done we don't think it would be worth the price, as every one would know that the brewers had the article reproduced, and, of course, it would not have the desired effect. We could get it published in some of the other papers here, but about all of them have only a local circulation and we don't think it would be of much benefit.

"Should anything of importance requiring it come up at the meeting tomorrow Mr. Wortham will call Mr. Wahrmund over the phone and possibly suggest an early date for a meeting.

"Of course, you will understand that neither myself or any one else directly or indirectly interested in the liquor traffic will take any part in the meeting tomorrow, as all those attending are acting in the interest of property owners and other citizens of the State who are not interested either directly or indirectly in the liquor traffic." (D-880.)



Letter S. T. Morgan to Thomas F. and Eugene M. Keeley, Chicago, 12-1-08:

"From the account given in the clipping from the Dallas News enclosed of the meeting held by the antis in this city on last Saturday, November 28th, you will observe that our friends have finally commenced work along what in my judgment are the proper lines, and if they will perfect an organization as outlined I feel that we will get good results. While it was stated at the meeting that the organization would leave to the Legislature the question of submitting a prohibition amendment at its next session, still you will understand that our friends are not overlooking the importance of working with every member of the Senate and House from those districts that voted against submission, and if such Representatives will stand by the instructions given them in the primary there is more than one-third of the members opposed to submission. However, in some districts the vote was very close and such members unless receive strong encouragement from the antis may vote the other way, thereby giving the pros the required two-thirds, but it is conceded that about all of the members on both sides of the question will stand by the instructions given them by their direct constituents in the primary. The pros while claiming to have the promise of more than the required two-thirds are nevertheless aware of the facts as above stated, and in order to try and intimidate the members of both the House and Senate, as well as the antis generally over the State, they are threatening statutory prohibition, which would require only a majority, but on this proposition our friends claim a majority of both the House and Senate, as this method of prohibition was not embraced in the primary vote; hence the legislators are free to vote as they choose. The pros also threaten that if the question is not submitted that they will try by majority vote to do away entirely with the retail license, leaving only the wholesale license or the license to sell in unbroken packages, not to be drunk on the premises. This, of course, would be almost as disastrous to the breweries as prohibition, but as the proposition carries with it a loss of something like one million dollars in revenue to the State and the present ad valorem tax rate being already unsatisfactory to the farmers and property owners generally, I don't believe the Legislature will look favorably on such a measure.

"Statutory prohibition and the eliminating of the retail license are two measures in my opinion the pros are using as a threat in order to try and force submission, knowing as they do that many of our best attorneys hold that under our Constitution the Legislature has not the authority to pass statutory prohibition.

"Nevertheless, there are some attorneys that hold a contrary opinion and the proposition is one that is causing more or less uneasiness on the part of some of the antis who, believing that if the amendment is submitted, that it can be defeated by a good majority, hence are favorable to submission as a compromise. On the other hand, we have it from reasonably good authority and there is more or less rumor to the effect that the leaders of the pros are not as sincere as they claim to be, knowing that if the question is submitted that it will be

settled for good, and in which case they will, of course, lose their jobs. In this connection I regret to say that there is no doubt that we have some people on our side that are looking at the question from the same standpoint, and between like people (the agitators) on both sides they are able to keep the pot a-boiling and will continue to do so as long as there is anything in it for them, but for the time being at least, that is, say for the next two years, in case the question should not be submitted I think we will have to continue the fight, as otherwise the submission proposition would go by default at the next primary to be held in July, 1910." (D-887.)

Letter San Antonio Brewing Association to John L. Wortham, 12-24-08:

"Have had talk in last few days, which was entirely satisfactory, with Lockhart man, Guadalupe man, Fredericksburg man, and I have written to El Paso man and hope to have success there, too." (SS-27.)

1909.

Letter Carl Kichner, El Paso, to San Antonio Brewing Association, 1-1-09:

"I have your letters of December 28th, with enclosures as stated, and contents carefully noted. Mr. D. M. Payne is out of the city and I have been so snowed under with work on account of the sickness and death of your bookkeeper here that I have not conferred with the representatives of the Dallas Brewery, but will in a day or two. If you will take a list of the counties comprising the Twenty-fifth Senatorial District you will see one county, Zavala, near Bexar. It is altogether unwise to have a man in El Paso look after these counties east of the Pecos River, and I would respectfully recommend that this matter be taken up at once with the proper person and the Twenty-fifth Senatorial District cut in at least three pieces so far as the anti-pro chairmen are concerned. You need one chairman at or near Del Rio, and one in El Paso, and one somewhere in the northern tier of counties. You will notice that after leaving El Paso County going east there is a large strip of dry territory which, with few exceptions, extends to San Antonio and Fort Worth, and this particular section needs attention, as it is rapidly settling up with a class that need education to make them safe for the anti-prohibition cause, otherwise in case of an election we may not be able to give anti majorities in none of those counties west or bordering the Pecos River except El Paso. I have had two letters from Mr. Wolters, but as I am not at this time acquainted in but few of the counties I could do him no good. I will try and call on Mr. McGown in a day or two and advise you what he will do. He and I are the very best of friends and anything I can do for you before he leaves for Austin or after he gets there let me know, as I can approach him on most any proposition." (D-909.)

Letter S. T. Morgan, Dallas Brewery, to R. B. Alves, secretary;



Mr. Bert Ramsey, president, the Carr-Bass Liquor Company, 1-18-09:

"As you know the prohibition fight is now on in earnest, and as your Representative and Senatorial Districts are so large, it is very necessary indeed for yourselves and others interested to join hands and pull together in order to perfect an organization that will get good results, and I think it would be well for you to see Mr. Carl Kirchner and give him all the assistance you can, as he is taking some interest in the matter, but cannot accomplish what is necessary unless he has the undivided and harmonious support of yourselves and others in the business.

"Your district is settling up very fast, and it is very important that considerable active work be done looking towards educating the people along reasonable, fair and just lines.

"Hoping that you will not delay in this matter \* \* \*" (D-913.)

Letter J. A. Arnold, secretary legislative committee of the Texas Commercial Secretaries' Association, "To All Secretaries," dated Austin, Texas, Jan. 15, 1909:

"We are today starting a daily legislative service, which will consist of a copy of all bills affecting commercial interests of the State, and a daily report of the proceedings of the House and Senate. This service will be furnished you free of charge, and we would suggest that you keep a complete file of all these reports for the inspection of your members. It will be proper for you to call your legislative committee together frequently to discuss and define the position of your organization on all legislative matters pending, and any information we can furnish you on any legislative subject will be gladly supplied. Please furnish this office with copies of all resolutions passed by your organization, and communicate freely with your Senator and Representatives.

"Our office is located on Tenth Street and Congress Avenue (second block from the Capitol), old phone 2291. When in Austin make our offices your headquarters.

"P. S.—Over one hundred bills were introduced yesterday." (TB-1188.)

Letter San Antonio Brewing Association to B. Adoue, Texas Brewers' Association, 1-8-09:

"I beg to confirm my delayed telegram of even date, as follows: 'Very important matters here prevent our coming. Full particulars by tonight's mail,' and in further relation thereto, beg to state that ever since the return of Mr. Koehler from Fort Worth, Texas, both he and I have been in conference with our attorneys, Messrs. Newton & Ward, a great deal of time both yesterday and today, and we find that several of our proposed amendments will have to be seriously considered from a standpoint of their constitutionality, and in order that they do not come in conflict with other general laws. I have just had a talk with Senator Hanger of Fort Worth, Texas, over the phone, and he will be here early Sunday morning for a conference with Newton & Ward



at their office on Sunday morning, and I would also like to have your attorney, Judge Stubbs, to meet with them at Newton & Ward's office on Sunday morning, and that we may all hear the various discussions, and finally decide just what is best to be done. It is very important that you meet with us on the day and time specified, so will kindly ask that you wire me on receipt of this letter tomorrow morning if it will be possible for you and Judge Stubbs to be present.

"The reason that I ask for this consideration at your hands is that all of the bills are in the hands of our attorneys, Messrs. Newton & Ward, and I have already made arrangements to be in Austin on Monday morning next, where I have appointment to meet certain parties on very important business. I will appreciate a wire, and beg to remain." (S-5136.)

Letter A. S. Crisp, House of Representatives, State of Texas, Austin, 1-13-09, to Col. Prince, president American Brewing Association:

"If you can remit me here the \$100 to cover adv. contract in the Cuero Star for the year 1909 it will be greatly appreciated.

"It looks very much like we have the situation well in hand in both houses and I am at work with others to get up a good, strong caucus so that our sentiments can be directed and kept intact with a solid front in the House till the matter is finally disposed of." (A-2553.)

Letter American Brewing Association, H. Prince, secretary and treasurer, to A. S. Crisp, care House of Representatives, Austin, Texas, 1-14-09:

"In compliance with yours of the 13th, we beg to enclose check for \$100 covering advertising contract for the year 1909 with the Cuero Star." (A-2554.)

Letter A. S. Crisp, House of Representatives, State of Texas, Austin, to Col. Prince, American Brewing Association, Houston, January 16, 1909:

"Your check for \$100 covering current year's ad. in the Cuero Star has been received, for which I thank you.

"A count of noses I think shows us safe in both houses, but our friends will relax no vigilance until the whole subject is disposed of. It is set down for consideration in the House 3 o'clock Monday. Up to this time we have done some fine caucussing and seem to have things well in hand.

"When I can serve you here or elsewhere command me." (A-2558.)

Letter J. A. Arnold, legislative committee of the Texas Commercial Secretaries' Association, to J. E. Weeden, Texas Brewing Company, 1-23-09:

"I have your favor of January 19th concerning proceedings of the House and Senate and will state that you should be receiving this

service daily, and if it is not reaching you, kindly advise us and we will see where the trouble lies.

"As you are a subscriber to our work, this service is furnished you without charge, and we hope it will be of interest to you." (TB-1190.)

Excerpts of letter American Brewing Association to J. Boutroue, Sabine Pass, Texas, 1-25-09:

"\* \* \* We note what you say with reference to your views on prohibition. In fact, the present Legislature is composed strongly of prohibitionists. It is hardly probable that we can expect anything but very drastic measures at their hands. We, however, have a sufficient number to prevent them from passing a State-wide prohibition election, and that is about all that we can accomplish of the Legislature. \* \* \* We are looking forward to better times in the State, which can only materialize by the Legislature making such laws that will be liberal and protecting capital in the State." (A-2565.)

Excerpts from S. T. Morgan's letter to B. Adoue, Texas Brewers' Association, 1-26-09:

"I wish to acknowledge receipt of copy of the Galveston News of January 7th, 1909, that you sent me a few days ago containing an article by Mr. Johnson, Representative from your county, giving his views on State legislation and particularly his views on the proposition to give cities of 10,000 inhabitants or more the right or gift to regulate the liquor traffic, and the right to close and regulate places of innocent amusement on Sundays. I agree fully with Mr. Johnson that such cities should have such right in so far as regulation is concerned, but I don't think cities should be given the right to fix the amount of license to conduct any business, as I am advised that when cities are given the right to fix the amount of license to sell liquor the right in nine cases out of ten is greatly abused. \* \* \*

"Another proposed measure affecting the saloon business should, in my opinion, also be carefully watched. That is the measure proposing to limit the number of saloons, say one saloon to every 500 inhabitants. I favor such a measure, provided it is so worded that the present number of saloons, if they exceed one to every 500 inhabitants of an incorporated city be allowed to continue in business, but that no additional license be granted until the population will permit of same on the basis above mentioned. As stated, I am in favor of such a measure, but in order to give the breweries and other creditors of the saloon man reasonable protection the bill must be carefully drawn and watched, otherwise the retailer will be placed in a very advantageous position and in many cases the privilege enjoyed by reason of being a holder of a license when the proposed law becomes effective will be greatly abused, and that, too, at the expense of the breweries now doing business in this State, they being the owners of much of the paraphernalia used in the saloon business by reason of having from time to time to take such property in settlement of notes and accounts due them." (D-915.)

(See D-921.)

Telegram J. E. Weeden, Texas Brewing Company, to W. B. Fitzhugh, House of Representatives, Austin:

"WESTERN UNION TELEGRAPH CO.

"14 paid.

"Letter from Galveston to us, received today, discusses compromise bill; we have no copy." (TB-1204.)

The following is copy of letter written W. J. Althans to August A. Busch & Co., February 6, 1909:

"The Waples proposition has been declined positively for certain reasons which will be explained to me verbally. It seems that no outside brewery can be expected to make such investments either directly or indirectly.

"As Mr. Weeden is very intimate with Mr. W., it is possible that you may be able to cut your investment in half. Mr. Autrey has addressed a letter to Mr. Wahrmond, of which you will receive a copy. In this he states his objection to the Fitzhugh bill. In conclusion he takes the ground that the Baskin-McGregor law should not be interfered with. The copy will reach you within a few days and is self-explanatory. Should any mail arrive for me, kindly forward it to the Lone Star Brewing Company, San Antonio, Texas, and oblige." (TB-1198.)

On February 2, 1909, W. J. Althans of St. Louis, Mo., wrote Zane Cetti as follows:

"Adoue has just wired for you and your lawyer to go to Austin and appear on Thursday, 9 o'clock, before the committee having the Fitzhugh and Robertson bills before it.

"Adoue is in accord with you, and I can see where your combined efforts will do good. His attorney will probably also go to Austin for same purpose.

"You can do a lot to prevent emasculation of your bill if you go to Austin. I trust you will act on Adoue's wire Net earnings of Lone Star \$142,000 for 1908.

"Will forward information Weeden wanted tomorrow night." (TB-1199.)

The American Brewing Association wrote Carl Ullman & Co., 19 Broadway, New York, on February 9, 1909, as follows:

"We beg to own the receipt of yours of the 6th, and in reply beg to state that while we were successful in defeating the prohibition measure at the Legislature the other day, however, the end has not been reached yet. One of the leading spirits in the fight, after having voted against us, before the result of the vote was announced by the chair, asked permission to change his vote, which he did for the special purpose of being in a position to bring up the subject against any future time, we, therefore, can look for the subject being brought up again almost any day. \* \* \*" (A-2575.)

(See TB-1206.)



The Texas Commercial Secretaries' Association on March 2, 1909, wrote to Texas Brewing Company as follows, the letter being written from Austin:

"We will discontinue the daily service which we have been furnishing you as the Legislature reaches the appropriation bill, which will probably be some time during the week. No new legislation will likely be undertaken after that time.

"We will, of course, continue the service if you desire it, but unless you especially request it we will follow the plan above outlined." (TB-1209.)

On March 3, 1909, J. F. Wolters wrote Mr. Sam Morgan of the Dallas Brewery as follows:

"I beg to advise that the latest movement of our prohibition friends is to have the Legislature call an election for the ordering of a constitutional convention to rewrite and adopt an entirely new Constitution for the State. This proposition requires only a majority vote in each house to pass. You can appreciate the fact that this makes it a dangerous proposition. I, however, am hopeful that we will be able to defeat it. Of course, if this is submitted to the people every business interest in the State will feel the effect thereof and before the people the opposition would be much stronger than merely the adoption of an amendment involving one particular question. You may advise our friends of this new development.

"We are active and will not permit the proposition to pass without a vigorous fight." (D-925.)

S. T. Morgan wrote J. F. Wolters, March 8, 1909, as follows:

"Upon my return home I found your favor of the 3rd inst. awaiting me. In reply I beg to thank you for the information contained in your letter, and to say that I fully agree with you that the proposed convention is a dangerous proposition for our side, and as no doubt the convention is suggested mainly in order to get favorable action on the prohibition question, I am in hopes that you will be able to defeat the movement.

"On account of ill health I have been out of the State for the last three weeks and, in fact, have been unable to be of any assistance to yourself and our other good friends for the last six months, but I am glad to say that I feel some improved in health, and I hope that at any time I can do anything to assist you in any way that you will not hesitate to command me." (D-926.)

On March 17, 1909, S. T. Morgan wrote J. F. Wolters as follows:

"I beg to acknowledge receipt of your very kind favor of the 12th inst. and thank you for the information given therein.

"I also wish to thank you for the able manner in which you have handled the affairs in which I am greatly interested, and assuring yourself and associates that what you have done is highly appreciated, I beg to remain." (D-930.)

J. R. Babcock, secretary Dallas Chamber of Commerce, on March 8, 1909, wrote S. T. Morgan of the Dallas Brewery, as follows:

"Replying to your letter of the 8th, beg to advise that the total expense of entertaining the Legislature to date is \$4,865.88, of this \$4,555 have been subscribed and in this latter amount is included your subscription for \$100. You will note that we are at present about \$350 short of covering the whole expense, and I trust that I may receive your check promptly.

"In regard to the matter of membership, there is no particular hurry, and I shall be glad to have you take that up at your convenience." (D-928.)

Copy of letter from the legislative committee of the Texas Commercial Secretaries' Association to Mr. J. E. Weeden of the Texas Brewing Company, dated March 10, 1909: (Written from Austin.)

"We have your favor of March 5th in regard to House Bill No. 374, and we enclose you under separate cover three copies of this bill, and any time we can be of further service to you, kindly command us." (TB-1210.)

On March 12, 1909, the legislative committee of the Texas Commercial Secretaries' Association wrote J. E. Weeden as follows: (Written from Austin.)

"We have your favor of March 11th and have succeeded in securing a copy of House Bill No. 68, at an expense of \$2.50. You will have to have this bill copied in your office, as we will not have the time to do it in this office.

"When we can be of further service to you, kindly command us." (D-1211.)

(See TB-1214.)

On March 17, 1909, J. F. Wolters wrote Zane Cetti as follows:

"My information today is that the Governor will submit, for the consideration of the Legislature during the special session, the subject of the regulation of the liquor traffic.

"My understanding is that primarily the object in submitting this question at this time is to bring about the passage of the Robertson bill, amending the Baskin-McGregor law, so that the Comptroller shall have concurrent jurisdiction with the County Judge in the revocation of licenses." (TB-1217.)

(See TB-1221, TB-1222, A-1612, D-931, D-932.)

Letter from American Brewing Association to Heuser, Brenner & Fath Co., Cincinnati, dated 3-19-09:

"We beg to own the receipt of yours of the 16th and in reply beg to state that we will not be in the market for any cooerage this year. While we have been successful in defeating State-wide prohibition at the present session of Legislature, yet, nevertheless, the prohibitionists

are very active in voting on the local option question in many districts, and are successful in getting them dry, and our trade is, therefore, cut off to such an extent that our old stock of cooperage will fully fill our requirements." (A-2613.)

Excerpt from letter from American Brewing Association to E. Homeyer, Chicago, dated 3-22-09:

"\* \* \* We barely escaped, by a small majority, preventing the adoption of a State-wide prohibition at the session of the present Legislature. The Governor has called the Legislature into special session and while no State-wide prohibition can be decided at the special session of the Legislature, the Governor, however, recommends very drastic liquor laws to be enacted, the result of which is yet uncertain. With those conditions, as they exist, you can hardly look for any new breweries to be started in this State." (A-2620.)

Letter from Texas Brewing Company to Otto Wahrmund, San Antonio, dated 3-22-09: (This letter asks for copy of Robertson-Fitzhugh bill, and requesting a change in the bill.)

(See TB-1227.)

Excerpt from letter from S. T. Morgan to Messrs. Thos. F. and Eugene M. Keeley, Chicago, dated 4-6-09:

"From newspaper clippings enclosed you will note that we are up against it good and hard by reason of our friends trying to amend the Baskin-McGregor bill. Our only hope now lies in the Senate, and the fact that this extra session will expire by limitation on Sunday, the 11th inst. However, it is almost an assured fact that the Governor will reconvene the Legislature in a second extra session, which will hold for 30 days, and if he again submits as one of the subjects for legislation the amendment of our liquor laws there is great danger of the saloon being put out of existence, and the pros have raised the cry 'Down with the saloon!' This, as you know, is a most popular slogan and one that takes like wild fire among the small-bore politicians, who are out after cheap notoriety. Hence, as above stated, if this bill is reintroduced at the next extra session, and it is my opinion it will be, and that, too, among the first bills introduced, that there is great danger of it becoming a law, in which case we would be injured just about as much as we would be by straightout prohibition. I have been in communication over the phone with some friends in Austin and they say that everything that possibly can be done is being looked after, and that if the measure is defeated it must be handled by people in no way interested in the liquor traffic, and that it would only antagonize the pro leaders to have any of those directly interested in the business to appear at Austin. \* \* \*" (D-940.)

Letter from S. T. Morgan to Messrs. Thos. F. and Eugene M. Keeley, dated 4-7-09:

"From clipping from this morning's News, herewith enclosed, you will note that they came pretty near reaching the 'six-shooter stage'



in the Legislature yesterday on the liquor resolution bill. I have been in communication with Austin today over the phone and have just had a long talk with Mr. Autrey of the Houston Ice and Brewing Company of Houston, and he tells me that the excitement has quieted down considerably and that he feels safe in saying that the bill will not pass the House, thereby relieving our friends in the Senate of the burden of fighting the measure in that body. He further stated that on account of some of the amendments and the fact that the House eliminated that part of the bill giving the Comptroller concurrent jurisdiction with County Judges, which proviso was an administration amendment, that even should the bill pass as outlined in yesterday morning's News, clipping of which I sent you, that the Governor would veto the bill for the reason above stated and for the further reason that it would mean a very heavy load in revenue to the State.

"I am also advised that on account of the turn the fight on this bill has taken, which is directly opposite to the views and wishes of the Governor, that he will not include the subject of liquor regulation in any of his measures to the second extra session, in which case, of course, no change in our present liquor laws will be made." (D-942.)

Telegram from Otto Wahrmond to Zane Cetti, dated 4-11-09:

"Robertson bill finally passed."

Letter from (excerpt) J. F. Wolters to Texas Brewing Company, dated April 17, 1909:

"I beg to advise that the anti-State-wide prohibition organization of Texas maintained its headquarters in Austin during the regular session and the first call session of the Thirty-first Legislature.

"Aside from the resolution to submit a constitutional amendment providing for State-wide prohibition, which, as you are aware, was defeated, quite a number of bills were introduced which, while coming under the head of regular session, were nothing short of prohibition measures. Measures of such a character received the attention of the organization and were defeated.

"A law fixing a \$2,000 State license for the sale of non-intoxicating malt liquors was enacted. An act making it a felony to solicit orders for intoxicating liquors in local option territory was enacted. An act making it a felony to sell intoxicating liquors in local option territory was passed.

"At the instance of the Texas Brewers' Association a bill was introduced amending the Baskin-McGregor law materially, and strengthening and changing that act. Fearing that this bill would afford an opportunity for the prohibitionists to so amend same as to prohibit the sale of intoxicating liquors of all kinds except in original packages, not to be drunk on premises, I advised against the endeavor to pass this wholesome piece of legislation at this time. The bill failed to receive consideration during the regular session. At the special session the Governor submitted the question of liquor regulation and accordingly this was again introduced by Robertson of Travis and Fitzhugh of Tarrant and became known as the Fitzhugh bill No. 66 in the House.

I had not changed my mind as to the danger of pushing this forward for consideration, but the matter went beyond the control of those in charge of the anti-prohibition organization. The bill finally reached the House's consideration on the 15th day of April, and immediately Representative Brown F. Lee of Tom Green, who professes to be an anti-prohibitionist and declared he never voted for even local option, offered a number of amendments to the bill. Representative J. C. Mason of Lamar, the official leader of the prohibitionists in the House, offered a substitute for the Lee amendments which provided for the sale of intoxicating liquors in quantities not less than quart, and not to be drunk upon the premises where sold. This latter substitution was promptly tabled upon motion of Representative Jenkins of Brownwood, one of the prohibition leaders. Thereupon the question recurred upon the Lee amendments. These amendments in effect provided that intoxicating liquors could be sold under the act in any quantities not more than a gallon, but could not be drunk upon the premises nor upon any premises leading to such premises where sold. A license was fixed by these amendments at a uniform rate for fermented and malt liquors of \$1,500. These were the salient features of the Lee amendments. These amendments were not passed, however, until after a lengthy debate and energetic fight made against them by leading anti-prohibitionists on the floor. These amendments were regarded, in effect, as providing for statutory prohibition. After these amendments were adopted the bill was engrossed.

"Upon motion of Senator Watson of Lee, consideration of the bill in the committee was postponed until Sunday morning, April 11th, at 10 o'clock. Senators Branfield, Cofer and Alexander voted against the motion. Thereupon Senator Alexander of Parker moved on the floor of the Senate that the committee be directed to bring the bill out. This motion was lost by 13 for and 16 against. On Sunday morning, April 11th, the bill was reported out of the Senate committee, with the recommendation that the substitute therefore, to-wit., the original Fitzhugh-Roberts bill with the original Representative Buchanan's amendments, which are explained hereafter, be adopted. At about 1 p. m., after a brief fight, the report of the committee was adopted and the substitute, i. e., the original Robertson-Fitzhugh bill as changed by the Buchanan amendments, was finally passed by the Senate. The bill thus amended was transmitted back to the House, where motion was made to concur in the Senate amendment. Representative Lee strenuously opposed this motion, but the motion finally prevailed by a vote of 60 odd to 30 odd and thus the original Fitzhugh-Robertson bill was finally passed. \* \* \*

"I do not anticipate any further legislation during the second special session and, therefore, headquarters of the Anti-State-wide Prohibition Organization of Texas have been re-established in Houston, and the temporary headquarters abandoned.\* \* \*" (TB-1242.)

Letter from B. Adoue, Galveston, to Zane Cetti, Fort Worth, dated 5-8-09:

"I have received your letter 6th inst., enclosing copy of resolu-

tion to be offered at San Antonio. This city will be represented by a strong man or men, and the resolution will have their united support. The brewery industry of Texas is now in presence of a fight for existence and the brewers must be on the alert for securing ammunition." (TB-1260.)

The resolution referred to in the last above reads as follows:

"RESOLUTION.

"Written 5-5-09.

"Whereas, There is agitation in the State of Texas which threatens to deprive thousands of union wage earners of employment, and to lower the wage standard of many thousands more, therefore, be it,

"Resolved by the Texas State Federation of Labor in twelfth annual convention assembled in our City of San Antonio, That we give expression to our sincere and profound sympathy with any branch of organized labor threatened with trouble, be it loss of employment, decrease in wages or increase in hours of toil, and be it further

"Resolved, That we urge upon the general membership the importance of immediately taking steps to insure the payment of poll tax by every eligible member, so that he may qualify to participate in all elections, and be it further

"Resolved, That we urge our members to vote for such candidates only as will pledge themselves not to support legislation inimical to any branch of organized labor, and be it further

"Resolved, That we instruct our legislative committee at all times to oppose any proposed legislation antagonistic to any branch of organized labor." (TB-1255.)

The resolution above is referred to in the two letters following:

C. W. Woodman, San Antonio, to Zane Cetti, Fort Worth, 5-12-09:

"Houston breweries backing fight led by Andrew and Marr. Even discussion of resolution would prove harmful. Mine can carry. Do all you can." (TB-1261.)

Woodman, San Antonio, to Zane Cetti, Fort Worth, 5-13-09:

"Won after bitter fight." (TB-1262.)

1910.

On February 15, 1910, S. T. Morgan of the Dallas Brewery wrote A. S. Crisp as follows:

"Your favor of the 10th inst. to hand and I have carefully noted contents, and in reply thereto I beg to hand you herewith our check, No. 3813, on the American Exchange National Bank of Dallas for \$100 in settlement of one year's advertising. I enclose herewith copy for the first ad and will thank you to write us each month requesting new copy for ad.

"I am glad to note that the outlook in your section of the State is so bright, and I truly hope that Lieutenant Governor Davidson will



again stand for re-election. He is truly a statesman in these times of agitation and scramble for office, and I hope you will say to him for me that anything that I can do in this section of the State to further his interest that I hope he will not hesitate to command us, for to support a man of Lieutenant Governor Davidson's ability and high standing with all classes is indeed a privilege.

"Asking that you call to see me whenever you are in this part of the State." (D-1058.)

Otto Wahrmund on April 22, 1910, wrote Zane Cetti of the Texas Brewing Company, excerpt from which follows:

"Noting your favor of the 20th inst., and in further relation to my recent favor, beg to State that owing to extraordinary disbursements, Mr. Adoue found it necessary to levy extra assessments, which we all paid, and you should do so also. As stated in our last meeting, the expense for certain purposes was exceptionally heavy to cover immediate requirements, but my impression is that at the end of the year it will be on basis you mention.

"I will appreciate it if you will kindly advise me as soon as possible what you decide to do, for the \$5,000 that I spoke to you of was based on presumption that you would participate the same as the others. The Blanton matter needs immediate attention, for, as you well know, our future depends almost wholly on question of representation." (TT-52.)

The San Antonio Brewing Association wrote T. H. McGregor, Austin, as follows, June 6, 1910:

"I have pleasure in handing you herewith check for the sum of \$50 to cover amount of your statement." (S-6168.)

On June 8, 1910, Moritz Tiling, editor of the South Texas Post, published at Houston, Texas, wrote H. Prince of the American Brewing Association, portion of which letter here follows:

"Some days ago I had a lengthy conversation with Mr. J. Lilienthal trying to convince him that the South Texas Post is entitled to the same consideration in the advertising line as the Texas Deutsche Zeitung, but my persuasive powers availed me nothing. Mr. Lilienthal admitted that the American Brewing Association paid the adv. in the Texas Deutsche Zeitung regularly every month, and a good price at that, but that was only done because the publisher of that paper was a member of the Legislature, just as the American Brewing Association pays for an advertisement in the Cuero Star, DeWitt County, because Mr. Crisp is a member of the Legislature.

"The South Texas Post is not fortunate enough to have a member of its staff hold the exalted office of member of the Legislature, but even if it were so we would not accept advertisements as a subsidy, but only as a business proposition. In this connection permit me to emphasize the fact that the S. T. Post is a strictly independent newspaper, neither controlled by Messrs. Davidson or Colquitt, nor by the

Texas Wholesale Liquor Dealers' Association or Mr. Jake Wolters." (A-2959.)

Carl Kirchner of El Paso, on June 8, 1910, wrote Hon. Otto Wahr-  
mund, saying among other things the following:

"I have your letter of June 6th, with enclosure as stated; same is  
herewith returned to you. Instructions contained in your letter have  
already been complied with. I personally made a round with Senator  
Hudspeth a few days and appealed to all our friends and customers  
to aid our good friend in every possible way. Outside of business the  
writer of this is a friend and great admirer of Senator Hudspeth and  
you can rely on me that I will do all I can to help him. I think a letter  
from Mr. Morgan to his local agent here asking him to help out would  
be a good idea, though we called on him and he promised his support."  
(S-6173.)

The Casey-Swasey Company, Fort Worth, importers of wholesale  
liquors and cigar dealers, on June 15, 1910, wrote to Mr. Otto Wahr-  
mund, excerpt from which here follows:

"How do you regard the situation and how do things look to you  
down in your section of the country. In this particular part of the  
State everything is disturbed. However, it doesn't look to me like they  
have any chance to defeat Colquitt. We are having a hard fight to  
nominate the Senator from this district. Mr. Ben Terrell is our candi-  
date, and if elected he will do everything in his power for the best  
interests of our cause, this gentleman being a strong anti, but has  
three prominent pros running in opposition to him." (S-6179.)

(See S-6185.)

S. T. Morgan of the Dallas Brewery on June 16, 1910, wrote Mr.  
Thomas F. Keeley of Chicago, Illinois, as follows:

"I will wire you tonight as follows: 'Democratic Executive Com-  
mittee voted to resubmit at July 23rd primary submission of prohibition.  
Governor has called extra session of Legislature for purpose of repeal-  
ing or amending insurance law. Our friends think call is loaded with  
submission prohibition and drastic regulation questions. See letter  
and Dallas papers of this date.'

"Confirming same will state that I suppose you have seen from  
the Dallas papers that the Democratic Executive Committee has again  
ordered the question of submitting a prohibition amendment to be  
placed on the ticket to be voted on in the primaries July 23rd. Whether  
or not the question will receive more votes for or against will not in  
the opinion of our friends necessarily mean that the question will be  
submitted to the people by the Legislature, as it takes two-thirds of  
both houses to submit a constitutional amendment, and it is claimed  
that each Representative and Senator will ignore the primary vote as  
a whole and follow the instructions of their direct constituents. How-  
ever, this is by no means as dangerous a proposition as the one that  
will confront us when the Legislature convenes in extra session on  
July 19th, as it will only take a majority to pass a law prohibiting the

sale of intoxicating liquors, except by the quart, not to be drunk on the premises. This regulation is known as the quart law, and in my opinion is the most dangerous measure that we will be called on to contend with, and I believe the pros are going to use it for all it is worth, and will succeed in forcing our friends to join them in submitting this question of prohibition to the people at either the special or at the general election in November. I have given this question some thought, and have reached the conclusion that we had just as well face the issue now, as the pros are going to keep up the fight until the people are given an opportunity to vote on the question. From the standpoint of expenses I am inclined to believe that we will in the end save money by letting the proposition come to a vote, as otherwise we will be called on every year for more and more. The South Texas people do not agree with me, but I am inclined to think that the next thirty days will convince them that of the two evils that we had better choose what appears to be the least and let the fight come." (D-1089.)

J. F. Wolters, chairman of the Anti-State-wide Prohibition Organization of Texas, on June 18, 1910, wrote to Mr. Sam Levy, Fort Worth, as follows:

"Your letter of June 16th received. I am satisfied the Governor could not have statutory prohibition passed through the Senate if he wanted to, nor the quart law. I do not believe he could have a constitutional convention called, because I do not believe that he could get it through the Senate. I do not think he will attempt it at all if we can succeed in defeating submission. If, however, we do not succeed in that, then I think he will try to do something, but I do not believe he can accomplish his purpose." (TB-1402.)

(See TB-1404.)

Excerpt from letter from S. T. Morgan of the Dallas Brewery to Mr. Thomas F. Keeley, Chicago, dated 6-18-10:

"I received letter from Mr. Adoue relative to the extra session of the Legislature, and I write him today as per copy of letter enclosed.

"The Brewers' Association will have a meeting in San Antonio on next Wednesday and the 22nd inst. We will try and then get together on some plan to protect our interest, and I will advise you of the action of the meeting upon my return home." (D-1091.)

(See S-6204.)

On June 21, 1910, John L. Wortham, Dallas, wrote Otto Wahrmond as follows:

"I presume you have noticed through the press that Carter Kirven Jr. has withdrawn from the race for the Senate. Mr. Kirven made a very thorough canvass of the district, and in addition had two of his warm active friends also go over the district. They came to Dallas, laid the matter before me in detail and the conditions were such that I was forced to concur in the views reached by them that there was a very slim chance of his winning, therefore, I felt that it was nothing



but right and just to him and to us that he pull out of the race. The obstacle that he met and, in fact, the blow that knocked him out, was that this district has had an unwritten law for many years that the Senatorship should be passed around. The press of the district took this up and used it to every advantage. These gentlemen inform me that our present candidate for Governor made an effort to break this precedent at one time, and as popular as he was in the district, he was defeated. With this explanation I am sure that you will feel that I acted wisely and with good judgment, for it is never my purpose to make a fight without a reasonable chance of success. I want you to understand that Mr. Kirven is willing to continue if I said so, but with the facts before me I did not feel warranted in incurring the expense, and driving him to what I felt to be certain defeat. I have just returned from Lamar County and find conditions there in excellent shape, both as to our two candidates for the Legislature, R. M. Robinson and C. W. Driscoll, and our gubernatorial candidate. Johnson and Poindexter are going to get the pro vote and the indications are that Johnson will so nearly approach Poindexter in votes that Colquitt will have a safe plurality.

"Encouraging reports are coming in from throughout the country and the opinion prevails that Campbell's calling the Legislature together has been advantageous to us. The fact that he called the Legislature together to repeal a law passed by him and condemned by Colquitt and defended by the other three candidates extremely impresses the people that Campbell has admitted that this plank in Colquitt's platform was so essential to the welfare of the people of Texas." (S-6208.)

Excerpt from letter to Col. Otto Wahrmond, written June 21, 1910, by John L. Wortham:

"I am enclosing you a letter I have just received from our good friend Mr. John T. Luther of Cleburne, who, as you know, is doing as much work in the field as any man in Texas, and is an appointee of Campbell's whose business is to visit every county in the State in transferring prisoners, therefore he is performing great service without expense to us. He is at Dallas every week or ten days and confers with me. He is also doing especially fine work for A. B. Davidson. Davidson has expressed himself to me in enthusiastic terms about Luther's good work. I would be glad if you would comply with his request and send him to Cleburne one cask of the famous Texas Pride." (S-6211.)

Louis Schmidt of Mason, Texas, on June 21, 1910, wrote the San Antonio Brewing Association as follows:

"We have got Mr. J. H. Jones, our ex-County Judge, out for Representative for this district in the Legislature; he announced some time ago. He is about the best man in our county to fill that place. When we got him to make the race we promised him that we would see him through all right as far as his expense would be. We had quite a nice sum make up, but it is not enough, so our committee asked me to write you and see how much help you could give us. Let me hear from you." (S-6212.)

The San Antonio Brewing Association on June 23, 1910, wrote Mr. Louis Schmidt as follows:

"Noting your favor of the 21st inst., beg to state that if you will kindly advise the amount that has been contributed, total amount required and what is expected of us, will take the matter up at once and let you know promptly what can be done." (S-6221.)

Louis Schmidt on June 28, 1910, again wrote the San Antonio Brewing Association as follows:

"Your letter was received in regard to what I wrote you about. Will say I have talked the chairman of the committee. He says that we had contributed \$270 and that the total amount required would be about \$400, that the amount we had made up was already all paid out. This is a statement from our chairman." (S-6235.)

On June 29, 1910, the San Antonio Brewing Association wrote Mr. Schmidt as follows:

"Noting yours of the 28th inst., beg to state that you can count on me for the sum of \$100, stated purpose, and I hope that this will be satisfactory. Will state, however, that I am doing this personally." (S-6239.)

Mr. John A. Hulen, Houston, on June 22, 1910, wrote Col. Otto Wahrhund as follows:

"At the request of Mr. Wolters, I hand you herewith lists of Representatives and Senators by districts, announced to date, as per our records. If you have any suggestions to make or know of any changes that should be made in the lists, I shall be glad to hear from you." (S-6214.)

Letter, Otto Wahrhund, San Antonio, to Capt. Chas. Schreiner, Kerrville, Texas, June 23, 1910:

"I am reliably informed that Mr. Randolph of Junction City, who recently announced for the Legislature is an anti-prohibitionist, but is in favor of submission. Will you kindly advise me if this is true?

"Thanking you in advance for the information, I beg to remain, with kind personal regards." (S-6220.)

Letter, Charles Schreiner to Otto Wahrhund, June 28, 1910:

"In reply to your favor of June 23rd, beg to say that Mr. Randolph of Junction City, who recently announced for the Legislature, is an anti-prohibitionist, but is in favor of submission." (S-6231.)

Letter, Otto Wahrhund to Capt. Chas. Schreiner, Kerrville, June 29, 1910:

"I have yours of the 28th inst., and appreciate kind advice. I regret to note that party is in favor of submission, and would ask in

all kindness if it would not be possible to induce him to vote, in the event he is elected, as the people of the district may desire agreeable their expression as may be indicated in the primary election?" (S-6237.)

Letter, Monta J. Moore, Cameron, to Col. Otto Wahrmund, June 27, 1910:

"Of course you thoroughly appreciate the fact that the State primary election will soon be at hand, nevertheless there seems to be a great deal for us to do in the remaining time. From my investigations I feel that the election of one-third of the next House by the antis is in very great doubt. Davidson's campaign is endangering our legislative ticket all over the State and particularly in this section. I believe that our hope lies mainly in defeating submission in the primary; and if this is to be accomplished the Walters committee ought to be furnished with sufficient ammunition to make the fight red hot from now till the close of the polls." (S-6226.)

Letter, Otto Wahrmund to Monta J. Moore, Cameron, Texas, June 28, 1910:

"I have yours of the 27th inst., and will state in reply that I cannot agree with you that at this particular time Davidson's campaign is doing us much harm in the contests for Representatives. If this should be true, then I am afraid of the ultimate result of the election as far as Colquitt is concerned." (S-6232.)

Letter, A. S. Crisp, Cuero, to Otto Wahrmund, June 27, 1910:

"I am told that an effort is being made to induce your agent here, Mr. Currin, to oppose me for the Legislature, either as an independent or on the Republican ticket, and I write to see if you can't drop a word that might help out in case he does really contemplate such a step. I talked to him this morning but he was non-committal. Two years ago a prominent and very wealthy Republican opposed me and carried one box in the county; but a fellow doesn't like to have opposition and particularly from sources where there is no issue to be contested over as we feel the same way about the main question.

"I trust you will make all right without serious opposition.

"Please regard the above in strict confidence so far as my name goes." (S-6228.)

Otto Wahrmund to A. S. Crisp, Cuero, July 7, 1910:

"Agreeable promise, I should have replied to yours of the 27th ult., definitely ere this, but the fact is that I was called away and have been absent from the city for a few days, so pray excuse.

"I had the matter referred to investigated, and found that while the party in question had been urged by his friends to make the race, so far he has steadfastly refused to do so." (S-6266.)



Letter to F. C. Blaine, Del Rio, Texas, June 28, 1910:

"I received the circular which you so kindly sent me, and I note your remarks on the margin thereof which is not good news to me. Will state, however, that we simply cannot afford to let that man win, as you well know, and I am also convinced that if people like you, for instance, Kieffer and a hundred others, will get busy, put your shoulders to the wheel, our man can be elected, and I will certainly appreciate the consideration." (S-6233.)

Excerpt letter S. T. Morgan of Dallas Brewery to R. L. Autrey of Houston Ice & Brewing Company, 6-29-10:

"I am more convinced than ever that we are playing with fire, and taking long chances in not agreeing among ourselves to first defeat submission in the Legislature, then in a spirit of fairness, and in order to get the question settled join with the submissionists on our own motion to let the question go before the people, say, at the general election in November. Under these conditions you know we could get most anything we want, and I think we could get the pledge from the leading prohibitionists to the effect that if prohibition was defeated the question would be taken out of politics, and whatever regulation law that was agreed upon would be given four or six years to test out its practicability. I know I am greatly in the minority; in fact, stand alone on this view, but from a financial standpoint, and from the standpoint of putting a stop to the agitation, I believe I am right. Further, I am fully convinced that we could defeat prohibition by not less than 25,000 votes and possibly 50,000." (D-1098.)

Letter, Otto Wahrmond to Carl Kirchner, El Paso, Texas, July 17, 1910:

"I am in receipt of your kind favor of the 15th inst., the contents of which I have carefully noted and I certainly appreciate the interest manifested. You did well in taking care of the \$75 item, and I will be only too glad to remunerate you for our proportion of the same on receipt of your further advice." (S-6299.)

Letter, Otto Wahrmond to S. T. Morgan, July 17, 1910:

"Feeling that you should have the information, I beg to hand you herewith excerpt from a letter which I received from a particular friend in El Paso, Texas, the same being self-explanatory. The gentleman is noted for his conservation, and I know would positively not make any statement which could not be substantiated." (D-1113.)

(See D-1115.)

The following is a letter written by Texas Commercial Secretaries Association at Fort Worth to American Brewing Association, 7-16-10:

"This organization will maintain offices at Austin during the special session of the Legislature opening Tuesday, July 19th. You will be furnished free of charge with special information concerning legislation affecting the interests of your membership.

"If you desire a copy of the daily journal of the House and Senate we can supply them at \$5 per month. The journals will give you a complete record of the daily proceedings of both houses.

"If we can serve you at any time, kindly command us, Box 18, Austin Texas." (A-2976.)

(See TB-1419.)

The following is a letter written by San Antonio Brewing Association to W. W. Taylor, Eagle Pass, of date 7-17-10:

"Noting your favor of the 16th inst., beg to state that I am especially interested in the election of O. B. Colquitt for Governor, A. B. Davidson for Lieutenant Governor and A. M. Turney of Alpine for Representative. Anything that you or your friends may be able to do to help those gentlemen will be very much appreciated indeed!" (S-6294.)

(See S-6314, D-1119.)

The following is a telegram from S. T. Morgan to Thomas F. and Eugene M. Keeley, Chicago, Ill., of date 8-1-10:

"Wahrmond wires as follows: 'While we have not passed the danger line, still we have no occasion to worry, the whole proceeding being political personal revenge. Autrey also phoned from Houston business interest standing together and outlook is encouraging.'" (D-1120.)

The following is a telegram from S. T. Morgan to Otto Wahrmond, Driskill Hotel, Austin, dated 8-3-10:

"Telegram received. What do you think the outcome will be and don't you think move is to force submission at present session to be voted on by the people at general election in November?" (D-1121.)

The following is a telegram from San Antonio Brewing Association  
—GAL HUNDRED SIXTY-TWO—BREWERY—  
to American Brewing Association, Houston, Texas, of date 8-3-10:

"Governor submitted quart and general regulation of liquor laws." (A-2984.)

The following is a telegram from San Antonio Brewing Association to H. Prince, American Brewing Company, Houston, dated 8-4-10:

"While we have not passed the danger line, still we have no occasion to worry." (A-2985.)

The following is a telegram from San Antonio Brewing Association to John E. Weeden, care Texas Brewing Company, Fort Worth, dated 8-4-10:

"While we have not passed the danger line, still we have no occasion to worry." (TB-1422.)

The following is a quotation from a letter written to D. Newton, Del Rio, Texas, by San Antonio Brewing Association, dated 8-10-10:

"Combined to this, the writer has been making special efforts, having only recently returned from Austin where he put in the hardest week's work, and was given more anxiety than he ever experienced in all of his life. While working in our own interest in a measure, on the other hand, it was also with a view of saving the saloon business of the State from destruction." (S-6342.)

The following is a telegram from San Antonio Brewing Association to H. Prince, American Brewing Association, Houston, Texas, dated 8-12-10:

"Senate killed ten-mile bill, vote sixteen against fourteen; other bills no doubt will go same route." (A-2988.)

The following is a telegram from Dallas Brewery to S. T. Morgan, Hotel Metropole, Denver, Colo., dated 8-12-10:

"Received following message from Wahrmond:

"Senate killed ten-mile bill. Vote sixteen against fourteen.

"Other bills will no doubt go same route.'" (D-1123.)

The following is a quotation from a letter written to San Antonio Brewing Association by Q. U. Watson, Giddings, Texas, dated 9-16-10:

"I feel that it is very important to us to have Fowler elected to the Senate from the Anderson County district, and that everything possible should be done to that end. If we can elect him and a good man from Harper's district we ought to be able to prevent anything very radical." (S-6406.)

The following is a quotation from a letter of date 9-19-10 written by San Antonio Brewing Association to Q. U. Watson:

"Noting and appreciating your further remarks, beg to state that I entirely agree with you, and we must act vigorously and will do so to accomplish the aim desired. Thanking you sincerely for the suggestion, which was in line with my views on the subject. I beg to remain." (S-6414.)

The following is a letter written on 10-27-10 by Texas Commercial Secretaries Association of Fort Worth, per J. A. Arnold, to San Antonio Brewing Association:

"I am enclosing herewith list of the candidates for election to the Thirty-second Legislature, which I trust may be of some value to you. An effort has been made to have this list correct and complete and I shall appreciate it if you will indicate any errors that you may note.

"I shall be glad to send you as many copies of this list as you may need upon request for same." (S-6483.)

The San Antonio Brewing Association wrote the following letter to J. A. Arnold, Fort Worth, dated 11-4-10:

"Your favor of the 27th ult., with enclosure as advised, was received in due course, and would have been acknowledged ere this, but



for absence from the city. I thank you very much for kind submission, and remain, with kind wishes." (S-6491.)

The following is a letter written by the San Antonio Brewing Association to Mr. Peter Schramm, Taylor, Texas, of date 11-13-10:

"I am just in receipt of letter from an intimate friend in Burnet, Texas, and one who is in a position to know, from which I quote as follows:

"When you talked to me this morning, we were arranging to center on a man for Representative in order to avoid any friction, and there were several parties that we desired to see in order that there would not be any conflict.

"I am now prepared to say that Capt. W. H. Corder of Burnet, a stock-farmer whose ranch is a few miles from Burnet, will be a candidate to succeed Pearson. He is a man about 56 years of age, an old stag not having any wife, has seen the world in many ways, was an old railroad contractor up to about 15 years ago, is director in the Burnet National Bank, a good mixer, not an orator, but has an abundance of good horse sense, and will in my judgment make a splendid member. He is opposed to the "quart" law, the "ten-mile" law and other measures introduced at the special session, and will stand hitched.

"I wish you would get in communication with our friends at Taylor, and you can say to them in addition that the family and closest friends of Lum Pearson want Capt. Corder to go to the Legislature.

"I have just learned that Dr. W. D. Yett will also be a candidate. This is ex-Senator Yett of Marble Falls, a radical prohibitionist, and what I have said about Capt. C. stands."

"In view of this frank expression, it behooves you and your friends to get busy, and I sincerely trust that you will do all in your power for Capt. C." (S-6514.)

The following is a letter written by the San Antonio Brewing Association to Dayton Moses, Burnet, Texas, of date 12-7-10:

"Your telegram from Waco, addressed to our Mr. Wahrmond, is to hand and noted in his absence, he having left this morning on a week's trip to Mexico. Will state, however, that he had previously taken matter up with friends in Williamson County, also in Austin and Temple, and we can assure you now that everything possible will be done in behalf of the party that you refer to." (S-6567.)

The following is a letter written by J. A. Arnold of Special News Service, Texas Commercial Secretaries Association, Fort Worth, to Texas Brewing Company, dated 12-3-10:

"If you desire daily copies of the proceedings of the House and Senate during the session of the Thirty-second Legislature, we can furnish them for \$5. per month, same as heretofore.

"No copies will be sent out except on special order. If you want this service, please let us hear from you immediately." (TB-1436.)

1911.

The following is a letter written by S. T. Morgan to B. Adoue, Galveston, Texas, dated 1-14-11:

"Your favor of the 10th inst. to hand and should have been answered before now, but I have been very busy and out of the office for the last few days.

"It will be agreeable to me to attend a meeting at any time that will best suit your convenience and pleasure, but as a suggestion it would seem to me that it would be better to wait until the affairs at Austin get well organized and far enough along where we can kinder estimate what is ahead of us. However, I suppose the most important subject to be considered at the meeting will be 'the wherewith,' and this is a question always for discussion, so suit your own pleasure and convenience and give me as much time as you can, and I will make my arrangements to be present." (D-1192.)

The following is a telegram from A. S. Crisp at Austin to Col. Zane Cetti at Fort Worth, dated 1-25-11:

"Submission engrossed July 22, final vote tomorrow." (TB-1446.)

The following is a letter from O. F. Haley, Pabst Brewing Company, Gainesville, Texas, to Otto Wahrmund, San Antonio Brewing Association, dated 4-21-10:

"Replying to your favor of the 19th in which you inquire if the wholesale as well as the retail liquor dealers in this city cannot take care of the political situation. In reply to this beg to advise that we have been taxed very severely in our local option troubles and have since November been compelled to raise \$4,000 to be used for this purpose directly and indirectly, so you can readily see that it has worked quite a hardship on us, and as the assistance we have asked for is to be used in our flatorial race which embraces the counties of Cooke, Denton, Wise and Tarrant, we are taking care of the local option matter ourselves, but feel that you should render us some aid in the other matter and we do not think the request we have made is unjust or unreasonable." (S-6084.)

The following is a quotation from a letter written by B. Adoue of Galveston to Otto Koehler, president of the San Antonio Brewing Association, on March 2, 1911:

"Over one-half million dollars have been spent during the past five years to fight vicious legislation and to resist local option elections; in fact, we can say that one million dollars has been spent for the protection of the brewing industry in Texas since 1900 or an average of \$100,000 per annum!

"If we had not done that, where would the Texas breweries be today? By birth, education and inclinaiton I am of an economical temperament. I hate extravagance and I have many times during the past 10 years been disgusted with my work, often resolved to quit my

position of disbursing agent, but on second consideration concluded to remain, regardless of how disagreeable the work might be; no amount of money could tempt me today to undertake the work of keeping in line another man like I have been doing and am compelled to yet with Hamilton; to state it is unpleasant mildly expresses my feeling. One of the serious mistakes of my life was made when I accepted the position of chairman of Texas Brewers' Association, but I accepted it and must stand by it until the trouble is over, will it ever be?" (SS-110.)

The following is a letter written by A. S. Crisp at Cuero to Col. Sam T. Morgan, Dallas, dated 3-23-11:

"I write to ask if you will not kindly at this time renew our usual advertising contract of \$100. Our forces in the Legislature get everything possible that was coming our way including the scalp of the 'day light' bill, the death of many other iniquitous measures including the 'smelling' bill of Lightfoot in which he wanted \$25,000 to bother our people, seemingly, in matters in which it was none of his business. As a member of the liquor committee I accomplished the defeat of a bill designed to teach prohibition in the public schools of the State.

"Since my return home I have put our county organization in good shape as county chairman and we are going to get the vote out. I am also giving attention to neighboring counties where I find anything that requires work.

"This, you see, is going to take time from my business that a man in my circumstances can ill afford to give." (D-1202.)

The following is a letter written by A. S. Crisp to Col. Sam T. Morgan, Dallas, dated 3-29-11:

"As county chairman I have been making diligent inquiries in the few dry boxes that we have and I thought you might be interested to know that the assurance is given me that a very good per cent of local optionists are going to vote against State-wide. They don't want the present local option law repealed. If this sentiment holds out over the State it will be a powerful factor in our favor in the final result.

"I want to go to Houston Monday to be in the anti conference on that date, though I have no other business in that city at that time, and from a business viewpoint can't afford it. But I have gone into the fight and here's hoping we'll lick 'em good." (D-1203.)

The following is a letter written by S. T. Morgan to Otto Wahr-  
mund of San Antonio Brewing Association, dated 3-30-11:

"As you know we gave last year a ten (\$10) dollar per month ad to the Texas Republic, this ad I discontinued about the first of the year and am now in receipt of a letter from Mr. Harris, asking permission to again run the ad; as an advertising proposition it does not pay, but it occurs to me that you might deem it advisable to give him some business, say to the amount of five dollars per month, so will thank you to advise me in the premises.

"I have also received several letters from our mutual friend the Hon. A. S. Crisp of Cuero, Texas, asking for advertising to the amount



of one hundred (\$100) dollars. We have in past given Mr. Crisp from fifty to one hundred dollars per annum for advertising, but with the extraordinary heavy expense confronting us this year I feel that we should not be asked to do so much advertising, especially for people who are holding the same belief as ourselves.

"I am enclosing both Mr. Harris' and Mr. Crisp's letters which I ask you return with your reply.

"Hoping that you have got rested up from your stay in Austin and that you are enjoying the blessing of good health and that I will have pleasure of seeing you soon, I am." (D-1204.)

The following is a letter written by J. J. Dillard of Lubbock, Texas, to Otto Wahrmund, San Antonio Brewing Association, of date 4-15-11:

"I am representing the anti-prohibitionists in the 101st district which is composed of 27 counties. As you know it is necessary to do effective work, to have liberal supply of beer to persuade the boys to vote anti on July 22nd. Have you a supply for this purpose?

"If so, ship express prepaid, J. J. Dillard, Lubbock, Texas.

"Please let me have a favorable reply at once as it means effective work." (S-6782.)

The following is a letter written by Otto Wahrmund of San Antonio Brewing Association to J. J. Dillard, Lubbock, Texas, dated 4-18-11:

"I have yours of the 15th inst., and was glad to hear from you, also to note that you are in position to do some very effective work, which I feel sure will be done, for I consider you the right man in the right place." (S-6788.)

The following is a letter written by San Antonio Brewing Association to Dr. E. P. Wilmot, Austin, Texas, dated 7-19-11:

"I beg to hand you herewith letter received from Hon. J. F. Wolters, the same being self-explanatory.

"Am also enclosing note, \$2,109.78, due October 1st, 1911, for the sum of \$2,109.78, which I have endorsed as surety, and await your advice relative his suggestion." (S-6931.)

The following is a letter written by San Antonio Brewing Association to J. F. Wolters, Dallas, dated 7-19-11:

"I have yours of the 16th inst. with enclosure, as advised, and I thank you for prompt attention.

"Will do as you suggest, and am writing to Austin today. Will advise further as soon as I hear from there." (S-6932.)

The following is a letter written by vice president of the Austin National Bank to Mr. Otto Wahrmund, San Antonio, July 20, 1911:

"Your letter of the 19th, addressed to Dr. Wilmot, received. Doctor is out of the city today, so I am looking after the matter for him.

"We beg to acknowledge receipt of your note for \$2,109.78 to take

place of \$2,000 demand note, dated January 26th. Enclosed find old note, duly cancelled.

"We have attached the F. Chas. Hume Jr. note to the renewal note sent to us in your letter of yesterday." (S-6933.)

The following is a letter written to the Austin National Bank by the San Antonio Brewing Association, 7-21-11:

"I have yours of the 20th inst., with enclosure, as advised, and I thank you very much for kind and prompt attention." (S-6934.)

The following is a letter written by E. P. Wilmot, president of the Austin National Bank, to Otto Wahrmund, San Antonio Brewing Association, on 11-9-11:

"Your letter of the 8th enclosing note of F. Chas. Hume Jr. et al, also check for interest, received.

"In reply I beg to hand you the old note, duly cancelled." (S-7025.)

The following is a letter written by San Antonio Brewing Association to E. P. Wilmot, Austin National Bank, dated 11-10-11:

"I have yours of the 9th inst., with enclosure of note, as advised, and I thank you for kind and prompt attention." (S-7026.)

1912.

The following is a letter written by Chas. F. Hume Jr. of Houston to Otto Wahrmund of San Antonio Brewing Association, 2-12-12:

"Enclosed please find note. I cannot send the interest at this time, but will do so after the first.

"My personal affairs have given me much trouble but I am still young enough, I think, to overcome my misfortunes.

"I am now a candidate for District Attorney, with fine prospects of success. Austin was pretty hard on me, but the friends I made there, and on account of being there more offset my regrets. I hope you are going back. I shall probably go there occasionally surely if the old trouble arises again." (S-7088.)

The following letter was written by San Antonio Brewing Association to Mr. F. Chas. Hume Jr. of Houston, dated 2-14-12:

"I have yours of the 12th inst., and return herewith note, January 25th, 1912, \$2,109.78, due May 27th, 1912, with my endorsement.

"Noting your remarks, beg to state that I am truly sorry that you should have had such bad luck. It is a long lane, however, that has no turning, and as you state, you are a young man, and I am sure that you will overcome all of this. Let us hope for the best. Just keep up and at it, and all will yet come out all right.

"I surely will miss your genial smile at Austin. I am candidate for re-election, and really should not have any opposition. If denied the pleasure of fraternizing with you in that city, you have my very best wishes in your candidacy for District Attorney. If the good people of

Houston did not elect you, they would be more ungrateful than I have reason to feel they are." (S-7090.)

The following is a letter written by J. F. Wolters to Otto Wahr-  
mund, San Antonio Brewing Association, of date 4-18-12:

"Referring to your favor of the 17th inst., in re Hume note. I beg to advise that I have this day forwarded the check to the Austin National Bank to cover this item.

"I saw Mr. Hume, and he informed me that he is unable to pay the amount. I communicated this bit of news to Colonel Wolters, who, thereupon, wired me to send his check." (S-7135.)

Letter, R. L. Autrey, Houston, to J. E. Weeden, Fort Worth, Dec. 26, 1911:

"Herewith copy of a letter I have written Harry Hawes. Write me in reference to the Gresham matter. I have sent a copy to Mr. Koehler, and have requested him also to write me about Gresham. Maybe I do not have to wait the meeting and can dispose of this matter earlier. He wanted me to hasten it. It is unnecessary to call your attention to the matter, but I do it anyway out of abundant caution to the sacredly secret character of this correspondence and to urge you to guard it closely." (TT-76-77.)

Letter, J. F. Wolters to Otto Wahrmund, Jan. 16, 1912:

"Herewith I hand you letter from Mr. L. Beasley, which explains itself. I hope you will take the matter up at once, with the parties at interest.

"I also beg to return the letter from our mutual friend Hon. William Pierschwale, which you sent me a few days ago." (S-7066.)

Letter, Otto Wahrmund to Chas. Schreiner, Kerrville, Jan. 17, 1912:

"I beg to hand you herewith letter written by my old friend, Mr. Beasley of Segovia, to Jake Wolters, the same being self-explanatory. Why cannot we get good men to make the race against Mr. A. O. Lawler? Possibly one of your sons might consent to make the race? Would like mighty well to serve with one of them.

"Just as soon as the weather gets a little warmer, and I receive my car, am going to take a run up to see you. In the meantime, would you kindly ask Mr. Jack Hamilton to pay my taxes?" (S-7067.)

Letter, Otto Wahrmund to J. F. Wolters, Jan. 18, 1912:

"I am in receipt of your favor of the 16th inst., with enclosures, as advised, and have taken the liberty of sending the Beasley letter to my friend, Capt. Schreiner of Kerrville, with suggestions, and will let you know what he has to say. I also expect to go up there soon, and will have a personal talk with him.

"Our mutual friend, Mr. William Bierschwale, was in our office yesterday, and I finally got him to consent to stand for re-election." (S-7069.)



Letter, A. S. Crisp, Cuero, to Col. H. Prince, Houston, Feb. 2, 1912:

"I am enclosing our usual bill for advertising in my paper, the Cuero Star, which I believe is in accordance with our recent interview in your office.

"Our poll tax payments are in good shape out this way and all for Colquitt." (A-3482.)

Letter, J. W. Collier to Mr. Stein, manager Galveston Brewery, 5-5-12:

"I am, as you know, a candidate for State Representative. My principles, as everybody knows by my past efforts, are moderation, regulation, peace and liberty. I look forward to a happy consummation, the fruits of energy, push, perseverance, self-denial, grit, soul and backbone. I will make many speeches. The thirst of many needs be appeased and satisfied. I know your demands and exactions are multitudinous. Confidentially strictly.

"May I sometimes call on you for a keg gratis? Our interests are mutual, identical and synonymous." (G-804.)

Letter, A. S. Crisp to Col. H. Prince, May 6, 1912:

"When in your office some weeks ago you were kind enough to say that you expected in the near future to renew with my paper, the Cuero Star, the usual contract of \$100 for advertising, which I trust will be agreeable to you at this time. My district covers a larger territory under the present apportionment than formerly and is necessarily more trouble and expense to run in. I have just given Governor Colquitt's speech in full in my paper and am exerting myself to the utmost for his election and that of Wolters, for whom I have both traveled and written letters. I am striving to see that Colquitt and Wolters men go to the Legislature from every district that touches DeWitt County and I am confident that proposition will win out. I also propose to again exert myself to the utmost at Austin when the Legislature convenes to prevent submission should that question bob up as seems now entirely possible. The right sort of organization maintained among our people at Austin can effectually block any submission plans, as we held our own with the slimmest sort of margin in 1909. My plan is to fight prohibition wherever it shows its head and I believe that is the only winning one. As anti chairman here I have made trips and spent my own money where I could not afford it and have caught hades from the dry bunch who go around me almost invariably when they have patronage in my line to place.

"Patronage to my paper is equipping your friends to battle against the common enemy, as I expect to do a whole lot of 'missionary' work before the primaries are over. Hoping to have your usual prompt response and with every good wish for you and yours." (A-3528.)

Letter, Clifford Stone, Henderson, Texas, to Otto Wahrmond, June 23, 1912:

"I am making the race for re-election to the Legislature from this

district, and at the same time, making the fight of my life for Governor Colquitt and Colonel Wolters, and you may readily see that I have my hands full, and a hard road to travel.

"I would thank you very much to send me a cask of your splendid 'Texas Pride' as I feel sure it would be a valuable asset in the present campaign with a few of my friends, as well as relieving my own fatigue after a long, hot and dusty drive to the country in an effort to keep our forces in line.

"I hope that it will be my pleasure to be with you again in the Twenty-third Legislature, and that any time I can be of service to you or any of your friends, in this section of the State, that you will remember that it will be of a special pleasure for me to serve you."

"P. S.—Let me have a letter from you, and I would like to know what the outlook is in Bexar County, compared with the past, for Colquitt, Wolters and Barker. Express the 'Texas Pride' to Clifford Flanagan if you please, and oblige." (S-7214.)

Letter, Otto Wahrmund to Clifford L. Stone, June 25, 1912:

"I am just in receipt of yours of the 23rd inst., and appreciate kind advice. I will do the 'needful' as suggested, and I trust that the consignment will reach you timely and in good condition, and feel sure that it will help you and the rest of our friends in their arduous labors.

"Here in Bexar County, everything looks very good for Colquitt, Wolters and Barker. Personally I will have no opposition in the primaries, and I hope that you may have a similar experience." (S-7218.)

1913.

The following letter was written by N. Q. Henderson, Texarkana, a negro, to R. L. Autrey, Houston Ice & Brewing Association, 7-18-13, about a special election for State Senator in the Texarkana district:

"High Esteemed: It comes to the close of the campaign and I beg to assure you I have done my best.

"It has been necessary to make a gum shoe campaign and a man to man canvass.

"Had I come into the district earlier a fuller vote would have been gotten out of the colored. However, Dr. Oliver will get practically every colored vote that will be cast in three counties.

"Shall work here tomorrow as this is the home of the two pro candidates and they are seeking quietly to control the colored vote.

"Hoping and trusting, as well as working for victory at the polls, etc.

"P. S.—Accept many thanks for check for fifty dollars." (H-775.)

1914-15 (also additional 1912).

Letter, A. S. Crisp, Cuero, to Col. H. Prince, Feb. 2, 1915.

"Dear Sir and Friend: I would be pleased to renew with your company the annual advertising contract for which you have paid me \$100 for some years, in two semi-annual checks of \$50 each.

"With Ferguson elected by such a majority and submission beaten almost as decisively I think we are in the best shape politically we have been in some years, and I never lose an opportunity in politics or in an editorial way to do and say something that will help the case.

"I am glad to observe also that your beer has gained a good sale in the western side of DeWitt County, Nordheim, where my paper circulates very largely.

"In a political way I don't think we can be seriously bothered any more for the next four years.

"Was very sorry to learn from Mr. Lilienthal when in your office a few weeks since of your painful indisposition and I certainly trust you have now safely passed that condition and are completely restored to your wonted health.

"Again thank you for your oft repeated good treatment." (A-3936.)

Letter, D. M. Reedy, Tyler, Texas, to Otto Wahrmond, Dec. 28, 1914:

"I have not sooner answered your last letter for the reason that it was not necessary that I should, and because you did not expect an answer. At this season of the year one should remember all of his friends, and of course I could not forget you; not that I could remember you with gifts and such like things, but with the best of wishes for your health and happiness—which I most sincerely do.

"Your assurance of continued interest and effort in my behalf, as expressed in your last letter, brings me under renewed obligations to you; and that without reference to the ultimate outcome. I never heard a word from Colquitt, though he promised to write me. He has not given myself and friends assurance that he would find a place for me, I should not have been disappointed. It was all voluntary on his part; and if I troubled him he was the cause of being troubled. But all that is passed, or is passing, with the good year 1914. There is more reason why his successor should do something. I am sure he has not forgotten some to whom he owed less. I would not have any place from either that I could not fill. I am sorry that the way was not clear for me to resume publishing my paper, for it is needed in these parts. But I am not able to do so. Because of your confidence in me, and of your disposition to help me, I desire to retain and deserve your confidence. And here, and for that purpose, I am sending you herewith a statement from Barnhart Bros. & Spindler of Dallas, which shows how much I paid them on the newspaper plant which I bought from them last January. When you read it you will please return it to me as I may need it. Of course it does not show all I paid on the plant, for I bought many things from others for which I paid all cash, including an electric motor and connections which alone cost me \$125 cash.

"The statement which I send you shows that I paid Barnhart Bros. & Spindler alone over \$450. You will recall that immediately after the primary I sent you a statement which was signed and sworn to by my foreman showing that for more than three months as I remember now, that I issued 3,000 papers each week, and that on the last week preceding the primary I issued 5,000 copies, each of which contained Fergu-



son's address answering his critics. The issuance of so many papers for so long a time called for lots of work and a very large amount of money. Mine was a union office, and I had to pay union wages; and I had to have lots of overtime work, which cost me time and half time. You understand how this is. All that is to show you where my money went, for the reason that I want your confidence. Perhaps I will have the pleasure of seeing you in Austin during the session, but that is not certain.

"P. S.—This letter is private, of course." (S-8090.)

Letter, Otto Wahrmund to D. M. Reedy, Dec. 2, 1914:

"I have yours of the 30th ult., and am very sorry that things did not materialize as we had hoped. You know how I feel, I am sure, and I only want to add that just as soon as I see party, either in the near future or as soon as the Legislature convenes, I will have a talk with him and see if it is not possible to do something for you." (S-8046.)

Letter, Otto Wahrmund to D. M. Reedy, Nov. 3, 1914:

"I have yours of the 29th ult. on my return from my home in or near Kerrville, where I have been sojourning for week past.

"I am making my arrangements now to meet the Governor and rest of staff at presentation of silver service to battleship 'Texas' in next few days, and I will then have a good chance to talk to him. You may rest assured that it will be done with pleasure, and I am going to ask him to do something for you. Will write you again later, hoping that we may have success." (S-8007.)

Letter, D. M. Reedy to Otto Wahrmund, Oct. 22, 1914:

"I did not have the pleasure of seeing you after your interview with the Governor, if in fact you had an interview with him. I saw the Governor this afternoon, but said nothing to him concerning the matter you and I were talking about concerning myself. The reason that I did not was because I thought that if he had made you any promise he would mention it himself. But he said nothing, except to thank me for loyalty and service. I did not know if I made a mistake in not expressing my desire. However, as I leave for home tonight, I will not see him again. If he has given you any assurance, or if he does so, I will be glad to hear of it at your earliest convenience, as I will be bound to do something without much delay. There will be some new places at his disposal, and if he desires to do anything I feel sure he will find a way. Whether he does, or does not do anything I shall always appreciate your help and friendship. I will be glad to hear from you at any time. My address will be Tyler after tonight." (S-7990.)

Letter, J. E. Weeden, Texas Brewing Company, to W. J. Althans, Anheuser-Busch Brewing Association, St. Louis, July 25, 1914:

"I presume, of course, by this time, you are well informed of the splendid victory; the Dallas News comment to the effect that every prohibitionist who had an anti against him was defeated, sums the thing

up very well in a general way; in addition, we get the information this morning that the fellow Vaughan is probably defeated in the First District (Texarkana).

"Here in Tarrant County we won everything we tried for, with the exception of John Baskin for the Senate; he was defeated by that old bugbear Lattimore. We realized from the beginning that same would be a difficult race, was not much hope, but Baskin we thought was the best material to put forward against him; it was either that, or let him go without opposition, and we wanted to give him a run for his money. It cost some money (several hundred dollars more than I expected I would have to spend), but that seems to be a smaller matter in comparison with the result. We made the supermost efforts all along the line; I did not think I had it in me to work so hard or do so much, especially as in the hottest part of the campaign the weather was almost prostrating, but I got by with it. Of course, the most tremendous surprise to me was submission; I was very confident all along of Ferguson, was quite apprehensive as to the other. Inasmuch as the vote was so much smaller than for Governor, 20,000 majority, is an overwhelming victory for us, and to my notion, changes the entire status of affairs as we have been interpreting them. Some of the wisest politicians about here assure me that it means the settlement of the entire question for at least twenty years; this, I think, is an exaggeration, twenty years is too long a time, but it does seem to me that we are safe for eight or ten years at least. Mr. Cetti has been reading me most of the St. Louis correspondence recently, I think, and naturally, it makes me curious as to how much of the criticism falls off of his shoulders on to mine."

Letter, Otto Wahrmund to Chas. Metcalfe, San Angelo, May 26, 1914:

"I have your recent favors and was very glad indeed to hear from you. It is ever a pleasure, and I certainly hope that you will be elected for it would be an added pleasure to be able to greet you in Austin for the sake of 'Auld Lang Syne.'

"I have every reason to believe that our friend, Mr. Ferguson, will be elected as our executive by a very large majority, as he certainly should be for the reasons set out in your letter. You are absolutely correct in that respect." (S-7769.)

Letter, Louis A. Adoue, Galveston, to Jack Weeden, Texas Brewing Company, April 21, 1914:

"I beg to enclose herewith copy of letter I received from Col. Gresham.

"Col. Gresham is in touch with all of these matters up there and is a close friend of a great many of the Representatives.

"I give you this for your information." (T-1604.)

"I am in receipt of your kind favor of the 21st inst. the contents of which I have carefully noted, and I thank you very much for kind advice.

"I am glad that you got people named to handle the matter and have permitted me to stay out, at least as far as the correspondence fea-

ture is concerned, which is always more or less a delicate matter.

"We expect to ship a car of bottle beer there very soon now, and I am going to include a cask for you with request that it be delivered with my compliments and best wishes." (S-7721.)

Letter, A. Nauwald, Menard, Texas, to Otto Wahrmund, 3-21-14:

"This refers to my letter some time ago in regard to getting Callan to make the race for Representative from this district.

"Mr. Callan told us this morning that it was impossible for him to give up that much of his time, as much as he would like to serve the people at this time, and in going over the matter we have brought out a son of James Callan, Russell Callan, who is a bright young man, and a chip of the old block and will stand hitched.

"Mr. William Bevans today wrote a letter to Capt. Schreiner of Kerrville and Bill White of Mason telling them what we had done in regard to this race and if they had a man to put in the race we would have Mr. Callan withdraw, the letters were signed by William Bevans, D. G. Benchoff, F. Luckenbach and A. H. Murchison.

"It seems as if our pro friends are rather quiet right now. Think their aim is to try to get in their men in county offices, and then get their election, they having a candidate in the field for every office from the County Judge down, but am very much afraid they will be badly disappointed when the votes are counted." (S-7720.)

Letter, Otto Wahrmund to Capt. Chas. Schreiner, Kerrville, Feb. 26, 1914:

"I beg to hand you herewith letter from my nephew, Mr. Albert Nauwald of Menard, Texas, which is self-explanatory. For reasons which you will appreciate would ask that you kindly consider in confidence and return to me.

"I think if we do as suggested, that the gentleman mentioned could be induced to come out and it would mean a great deal to us antis.

"I will appreciate an expression from you, and remain with kind wishes." (S-7698.)

Letter, Roger Byrne, Smithville, Texas, to Otto Wahrmund, 1-22-14:

"Your letter of yesterday received. I was glad to hear from you and I hope you will be a candidate for re-election to the House. I gave up the idea of running for the Senate and my friends are insisting that I run for the House and I have made up my mind to comply with their request and I cannot see how I am to get along without you being near me so I advise you to do as I am going to do, stay with the good old House. I hope my friend John Gruwe will get all O. K. He is a good man, honest in every thought. When you all select the next Governor let me know so I can and will drop in line. My health has been fine since we last met and I hope you and yours are enjoying the best of health. If I can serve you at any time command me. As ever.

"P. S.—How is Chester running for Governor?" (S-7660.)



Letter, Otto Wahrmund to Roger Byrne, Jan. 21, 1914:

"Have not had the pleasure of hearing from you for some time. How are you getting along? What are you going to do? I see that your former opponent, the preacher, is going to run again.

"While I would like to see you in the Senate, I honestly believe that able statesman, such as you and I, can do more good in the House than in the upper body. While I have been approached and importuned by great many friends to make race for the Senate, if I am to continue my political career, I really prefer the House to the Senate.

"We had the pleasure of meeting Mr. John Gruwe here yesterday, and I hope that he will soon regain his health. I am afraid he is a very sick man. Our Mr. McArthur will be there in the near future. He left for the West this morning and will make the Smithville trip immediately on his return." (S-7659.)

Letter, H. Bruhn, manager Lone Star Brewing Company, to Mr. Louis Illmer Jr., Reading, Pa.:

"We beg to acknowledge receipt of your favor of the 12th inst., contents of which have been noted by us. In reply to same will say that we escaped with a black eye at the hands of our last Legislature, which adjourned a few weeks ago. The only law passed affecting saloons is that they will have to close at 9:30 p. m. and remain closed until 6 a. m., and this law goes into effect on July 1st.

"The Governor has called an extra session of the Legislature, for some time in July; we cannot foretell what will be done by it. The only hope is that we may be successful in nominating an anti as a candidate for Governor at the primaries in July, 1914. Should we fail in this, the State of Texas will be dry in two years from this time. The breweries will eventually be still in business, but with the saloons eliminated, three-fourths of our business would be gone. This will surely happen if a prohibitionist should become our next Governor. The outlook is gloomy." (L-389-338.)

Letter, A. S. Crisp, Cuero, to H. Prince, 6-10-13:

"Dear Sir and Friend: Please accept my sincere thanks for your courtesy in honoring bill for last half of annual contract at this time. In a little over a month the solons will be again gathering at Austin and if there is anything there you want attended to it will give me great pleasure to serve you at any time." (A-3735.)

Letter, Zane Cetti, Fort Worth, to A. S. Crisp, member of Legislature, March 17, 1914:

"Many thanks for your recent letter, and for the explanation of the exact condition at this moment of the Kennedy bill.

"Entire safety could be attained for us by the passage of the Senate bill now in the House without any amendment or addition; there would be no doubt as to the executive action in the matter.

"Enclosed hand you your enclosures in a former letter, which trust safely to hand." (T-1567.)

Letter, A. S. Crisp, care House of Representatives, to Col. Zane Cetti, Texas Brewing Company, Fort Worth, March 15, 1913:

"Writing further upon pending bills of which we spoke yesterday, beg to say I was correct in my statements of yesterday. The 9:30 bill has finally passed the Senate and is before the House, where a motion is pending to amend it by adding the Kennedy bill, which has finally passed the House. Whether that motion carries or not the bill will in all probability go to a free conference committee between the two houses. If the result is a complication of the 9:30 bill, the Governor, I am most reliably informed, will surely put the ax to it. I am going home this afternoon for Sunday and when I get back if I dig up anything else I think will interest you will write further.

"If you have some letters I sent you a few weeks ago kindly return them for my files. If you didn't preserve them it doesn't matter." (T-1566.)

"Dear Weeden," to whom the letter last above was addressed, was general manager of the Texas Brewing Company, Fort Worth; "W. J. A.," writer of the letter, was W. J. Althans, was an officer of the Anheuser-Busch Brewing Association, St. Louis, also of the Texas Brewing Company.

Letter, August Haxthausen, care House of Representatives, to Mr. Jul Lilienthal, American Brewing Association, Houston, Jan. 30, 1913:

"I mailed to your address yesterday, under separate cover Kennedy's liquor and election bills, which no doubt you are interested in. If you have not received same, let me know. If I can be of any service to you while up here, kindly let me know." (A-3667.)

Letter, R. L. Autrey, Houston Ice & Brewing Company, to Mr. August A. Busch, St. Louis, 1-23-13:

"Contrary to my expectations, and contrary to my predictions heretofore made, several liquor bills have been introduced in the Texas Legislature. Some of these bills are introduced by prohibitionists who want 7 o'clock closing, and a number of other restrictive provisions looking to the destruction of the saloon. One bill has been introduced by A. M. Kennedy, ex-Speaker of the Thirty-first Legislature, and now Representative from Kerr County. Mr. Kennedy is an anti-State-wider but a local optionist, and was an active worker in the ranks of the antis during the State-wide election of 1911.

"The salient features of this bill are raising the license to \$1,000 for liquor and \$300 for beer; the making of bonds by individuals residing in the community where the saloon is sought to be run, and reduction in saloons from the present ratio of 1 to 500 down to 1 to 1,000 population. Provision to make license non-transferable; provision to close at 9:30 p. m. and open at 7 a. m.; provisions making it a felony for the saloonkeeper to violate any of the conditions of his bond, and adding almost every drastic provision now contained in the Robertson-Fitzhugh law.

"Mr. Kennedy claims this bill to be an administration bill, but Governor Colquitt disavows any connection with the bill, and sticks to his position that the only change in the liquor law necessary to be made is the 9:30 closing, which is a Democratic platform demand.

"A joint resolution urging Congress to pass the Sheppard-Kenyon bill, and urging passage of the law by the Texas Legislature prohibiting interstate shipment of liquor has already passed both houses, which means that such a bill will be introduced in the Legislature and promptly passed as soon as both houses are on record as approving it. There are also anti-prohibitionists who expressed themselves as believing that if liquor be excluded from dry territory effectively by such laws many dry counties will vote back to license and as supporting these bills.

"If bills are introduced and passed with the support of the antis, I fear Governor Colquitt will sign such bills.

"I must add that there is one provision in the Kennedy liquor bill which forbids sales to Confederate soldiers. I believe the Governor will veto such provision, and may on that account veto the whole bill.

"Another, and the most dangerous prospective action of the Legislature confronting us is the convoking of a constitutional convention. The making of a new Constitution will, as a matter of inevitable sequence, open the State-wide prohibition question, and throw us again into a State-wide fight of no less consequence than the fight of 1911.

"The stages of this Legislature are proceeding very fast, the constitutional convention resolution having been reported favorably yesterday. I am inclined to believe that the House and Senate will pass it promptly, but I have assurance from Governor Colquitt, who personally stated to me, a statement that he has made to many others almost publicly, that he will promptly veto such a resolution, and it is very improbable—at least it looks so at this writing—that the resolution can pass over the Governor's veto. We are confronted by the danger, however, that the prohibitionists as well as anti-prohibitionists are supporting the constitutional convention proposition. Our friends, the anti members of both branches, have no organization whatever, there is no recognized leader to which each and all may look for consultation such as existed during the Thirty-second Legislature, when a small, but thoroughly organized, anti minority put up a most remarkable parliamentary fight, which baffled and defeated an overwhelming venomous and aggressive prohibition majority.

"The hour is very late, but it is still possible to perfect an organization because the elements are there, only a personality is needed to bring them together. I think that can be done, and done quickly, but it is unnecessary to say to you what is required to accomplish it. You are aware that Col. Wahrmond of San Antonio is in the Legislature, and necessarily in touch, but since he severed his connection and that of his associates with the Texas breweries he has not said a word to anyone of them and at this hour, which is almost critical, no word has gone from him to any brother brewer, and I am astounded and at a loss how to interpret his attitude.

"If you think the gravity of the situation demands it, I suggest



that one of your people, preferably yourself or Mr. Faust, come down immediately and advise me by wire, so I can inform Fort Worth, Dallas, Galveston and the Lone Star of San Antonio.

"Always with best wishes and kindest regards." (A-3663.)

Letter R. L. Autrey, Houston, Texas, to Zane Cetti, Fort Worth, August 3, 1912:

"I enclose a clipping from the Galveston News containing a platform to be submitted by Cone Johnson at the Democratic convention at San Antonio, also editorial comment by the News.

"The effect of this expression by Cone Johnson will be a wide discussion of the matter by the press between now and the convention date, August 13th. A plank inserted by the convention will bind the Democratic Legislature, and thus we are suddenly brought to face the question of drastic regulation immediately.

"This is a very grave question, and I am writing each member of our association asking for their views upon the Cone Johnson platform:

"I may add that the Governor has heretofore expressed himself in favor of 9 o'clock closing, hence the measure along that line is one that will surely pass the next Legislature.

"Referring to the original package sale of whiskey, I learned that Cone Johnson does not now, and will not, make any reference to beer or light wines. You may remember that an original package law, a daylight closing law, as well as many other drastic laws, were passed by the last Legislature and were one and all vetoed by the Governor.

"Therefore, we rightfully think that the people upon re-electing Governor Colquitt by a large majority endorsed his veto, and thus disposed of the proposed law.

"Cone Johnson having supported Judge Ramsey and lost will have no weight in the convention, but discussion by the press will eventuate in crystallizing some form of sentiment and I want your views as to the separation of beer and whiskey, as proposed by Cone Johnson, to govern myself accordingly in dealing with the convention situation." (T-1545.)

Letter W. J. Althans, Anheuser-Busch Brewing Association, to "Friend Weeden," Texas Brewing Company, August 14, 1912:

"Thanks for your letter anent the San Antonio meeting, and copy of Record just received.

"It looks as if Colquitt would have full control of convention, and Judge Grey assured us of this when here last week.

"Am hoping for the best, although it seems Colquitt is playing to the pros in this projected platform." (T-1551.)

Letter A. S. Crisp, Cuero, to Mr. Lilienthal, Houston, August 22, 1912:

"The tempest has not fully passed and our interests are all right. I therefore write to ask if the 'American' will not now favor me with

a renewal of our \$100 advertising contract, which was promised me.

"In the late primaries I had three purposes to subserve—the election of an active anti to the Legislature from every district around my own, and piling up good votes for Colquitt and Wolters. In all of these we landed. However, the splendid vote we gave Jake down this way was overcome by the work of a fraternity with which Sheppard was hooked up in North and East Texas. In the legislative districts Hall from Wharton, Flournoy from Bee and Dilworth from Gonzales have large dry elements to contend with, but the fates were with them. The same is largely true of Gates, who represents Karnes and Wilson. He worked very hard to get Dilworth to run, but he is a man of very large business affairs and for quite a while shyed at it. He got in the race late and a few days before the primaries withdrew, leaving the field to a blind man, but the people elected him anyway. Morris from Victoria, Goliad and Calhoun, and Bagby from Lavaca represent strong anti constituencies and little or no opposition, although with Morris there is quite a strong dry sentiment in Calhoun. But that is his lightest county.

"At Austin, as you know I have always done, I shall oppose any unnecessary harassing and hampering of our sort of folks.

"I think we have licked the pros to a point where they see the futility of any early resumption of hostilities." (A-3594.)

Letter A. S. Crisp, Cuero, to Col. Zane Cetti, Fort Worth, August 22, 1912:

"The electorate has renewed our life under which conditions you agreed to renew our annual advertising contract of \$100.

"In the late primaries I had three main purposes in view:

"The election of Colquitt and Wolters and of a good militant anti from DeWitt and every district touching mine. We piled up an immense vote for all our friends, but Sheppard's fraternal manipulations in North and East Texas were too heavy for Jake. I will represent DeWitt and Karnes; S. H. Gates from Runge, Karnes and Wilson; R. S. Dilworth, Gonzales; T. W. Bagby, Lavaca; W. L. Hall of Wharton, Wharton and Jackson; Leopold Morris of Victoria, Victoria, Calhoun and Goliad; and . W. Flournoy of Beeville, Bee and several smaller counties adjoining. Flournoy and Dilworth have considerable pro strength to combat and their election might be called a clean victory for us. Gates and Hall have also considerable dry sentiment among their constituents, and Calhoun County in Morris' district hangs in the balance, so to speak, though Victoria and Goliad make the district on the whole overwhelming wet. Morris is a Hebrew and a very strong anti.

"At Austin I propose to continue, as I have always done, to oppose everything that needlessly harasses our people, who I believe pay all the license and taxes they should pay. If more public revenues be needed let other property and interests pay their just share and not ride our people any further.

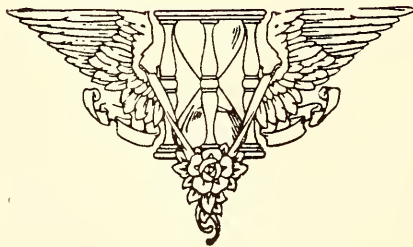
"I think we have licked the pros to a point where they see the futility of any early resumption of hostilities." (T-1555.)

Letter R. L. Autrey to Zane Cetti, January 25, 1913:

"I herewith enclose you copy of letter I am today writing to Mr. August Busch. It is unnecessary to go into further lengthy explanation with you.

"I have been away from Houston for about ten days, and the quick action of the Legislature was wholly unexpected to me, although I should have known better.

"Please acquaint friend Weeden with contents hereof." (T-1562.)





## PART FIVE—LOCAL OPTION: GENERAL

Participation in Local Option Elections by Breweries or other corporations, violate the spirit and letter of several provisions of law.

Section 20, of Article 16, of the Constitution of the State provides for the strict exercise of Local Self Government with respect to this question wherein the Legislature is commanded to enact a law "whereby the qualified voters of any county justice's precinct, etc., may by a majority vote determine, from time to time, whether the sale of intoxicating liquors shall be prohibited within the prescribed limits." This question should be determined alone by the "*qualified voters*" of the county or precinct.

Section 2 of Article 6 prescribes who may vote, and by limiting suffrage to male natural persons precludes even a resident corporation from passing upon this question; and even if corporations could vote, non-resident corporations could not do so upon this question because it is left to the voters of the "county" or "precinct." But Section 2 of Article 16 of the Constitution affirmatively operates against the participation of corporations, by direct or indirect means, in the settlement of these questions, because it is there declared that the "privilege of free suffrage shall be protected by laws regulating elections and prohibiting under adequate penalties *all undue influence* therein from power, bribery, tumult or other improper practice." If there were no other laws in existence, the spirit of these provisions of the Constitutional provisions would inhibit the use of corporation money to influence the result of option elections.

That this is the correct public policy, as announced by Constitutional declaration, the Breweries knew at the time they interfered in these elections; in fact, they strenuously deny the right of male citizens of a county or precinct, non-residents of a town therein, to vote saloons out of the town; to indicate that they had these matters in mind when the alleged offenses were committed by them, we offer the following excerpt from a letter from S. T. Morgan to B. Adoue, 4-20-04:

"Furthermore, the Willacy Bill did not take any of the rights away from the small towns, and only went so far as to prevent a combination of small towns against a large town, or say the county seat, which in nearly every election gives Anti majorities, and this being the will of the people in the larger towns, or county seats, their rights should not be taken from them by a combination of other towns or localities who in voting on the question under the present law have all to gain and nothing to lose; that is, if the county goes wet they still remain dry, and if it goes dry they have defeated the wish of the people in the large towns, or county seat, as previously expressed in a local or precinct election." (D-154).

And the following excerpt from a letter written by the San Antonio Brewing Association, through Otto Wahrmond, January 18th, 1912, to Bell & Cassidy, saloon keepers at Valentine, to-wit:

"We have your kind favor of the 15th inst., and note with sincere regret that you have been voted out of business. It is really a pity that outside interests should be able to do this, that people in the country, who really have no interest in the affairs of Valentine, should be able to do this, and it strikes us as being very unjust." (S.-7068).

But there are other laws prohibiting it. It has been the law of Texas for half a century that a corporation shall not use its powers, means or assets for any purpose except to accomplish the legitimate objects of its creation. These particular corporations were chartered to manufacture and sell beer, ice, etc., and were not created for "educational," "suffrage" or "election" purposes, and their interference in these matters, therefore, violates this law.

Again, since 1907, it has been a criminal offense for any officer or agent of corporations to use the corporation's money, directly or indirectly, to affect the result of any sort of an election.

To show continued violations of this Public Policy and these laws, we offer the following evidence of interference by the Breweries, and other non-resident corporations, in the local affairs of the people, thereby effectually denying and thwarting the doctrines of Local Self Government.

The evidence upon the allegation will be offered according to the following general plan: 1st: Local Option General, showing, in a general way, the continued purposes of the Breweries thus to interfere with Local Self Government and the general extent thereof; and, 2nd: their interference in specific elections in the various counties, arranged according to the alphabetical order of the county names.

#### LOCAL OPTION—GENERAL.

The participation of the Breweries in the Local Option matters ranged from the payment of poll taxes in anticipation of possible elections (as will be seen in full from the evidence offered on the subject of "POLL TAXES") to efforts to prevent the calling of elections in wet counties, and to bring about the calling of elections in dry counties; and from preventing the election going "dry" after being called in wet counties to carrying the election when called in dry counties. And then after the election was over they contested it in the courts if it went against them.

In a general way these activities of the Breweries took two forms: 1st: Through the Texas Brewers Association, its agents and emissaries; and, 2nd: Through the individual breweries, their agents, representatives and beer dealers.

During 1902, and part of 1903, Otto Wahrmond of the San Antonio Brewing Association, was President of the Executive Committee of the Texas Brewers Association; S. T. Morgan was Secretary; and J. W. Riggins was Campaign Manager.



From 1903 to November, 1911, B. Adoue was at the head of the Texas Brewers Association, receiving its funds and superintending the disbursements thereof; the Association had a "Campaign Manager" in the person of one O. Paget; it also from time to time employed a horde of "field men," white and negroes, some of whose names will become familiar in the evidence. It is well to remember, in this connection, the following persons: J. B. Raynèr, of Calvert, a negro preacher J. L. (Sin Killer) Griffin, one Stokes, a negro preacher, J. F. Onion, Monta Moore, and others presently to be mentioned.

In a letter written by B. Adoue, addressed to Otto Koehler, President of the San Antonio Brewing Association, March 2nd, 1911, upon this matter, it is said:

"Over 1-2 million dollars have been spent during the past five years to fight vicious legislation and to resist local option elections; in fact, we can say that one million dollars has been spent for the protection of the brewing industry in Texas since 1900, or an average of over \$100,000.00 per annum!" (SS.-110.)

What part of this money was spent "to fight vicious legislation" and how used is shown by the evidence offered on the subject of "Legislation;" the exact division of the expenditures can not be shown, but apparently something over one-half was used to "resist local option elections" because Paget's expenditure for one year, in this work, exceeded \$52,000.00. (TT-71.)

#### 1902.

The following is a letter from G. H. Luedde, Waco, Manager of August A. Busch & Company, to Otto Wahrmond, of the San Antonio Brewing Association, April 18th, 1902, on the subject:

"Enclosed find letter, which I today received from Mr. Busch, which fully explains itself, and shows he is heartily in accord with the work we are doing, only he seems to think we should have gone this alone without the liquor dealers. You will notice what he says with reference to assessments, etc.

"Now I received a telephone communication from Mr. Epstein last night that he had received a letter from Cincinnati with an enclosure of \$3500.00. This, of course, is very good, as far as it goes. He also received word that the wholesale dealers there had a man they had been using in Local Option districts in their interests and that they would send him to Texas, if we wanted him,—as Mr. Epstein understood it,—for just his expenses. Mr. Archenhold and I were talking this over today and we fear the trouble with a man of that kind would be that it would soon leak out that he was a representative sent there from the North or East by the liquor dealers, and that would do us more harm than good. Mr. Archenhold thinks we should have a local man—that is, a man who is a resident of Texas, who is known in the state and who is above reproach. We have arranged with Mr. Riggins to make a speech at Greenville on next Saturday, the 26th, and another besides that a day or two later if they want, and have also arranged for the publication of his



speech in the Dallas News. We can get a number of extra copies of the Dallas News and use the same in the campaign in Hunt Co.

"You can notice by Mr. Busch's letter that he is thoroughly awakened on the subject, and I believe that we ourselves are not woke up as we should be. I think, as Mr. Busch says, we should raise more money and enter this work with heart and soul. Mr. Archenhold and I were talking this matter over further this morning with reference to this money question. We passed resolutions at the last meeting that we would not give any assistance financially to these local option fights. If we do not, where are these people to get the assistance from? To carry on this election in Hill County will cost at least \$5000.00. Where is this money to come from if we do not assist them in raising it? Think over these matters carefully by the time we meet again and let us devise some plan whereby we can aid these parties financially. Mr. Epstein has promised to go with Mr. Archenhold if possible, next Saturday to Greenville and hear the speech of Mr. Riggins, and we are going to assist on as many of the committee going as possible, so that they will be enabled to judge what he can do.

"Mr. Archenhold made some suggestion of having the meeting changed to Waco so that he could have Judge Clarke come before the meeting and give us an outline of what should be done, as it will be impossible to get Judge Clarke to go to our meeting at Fort Worth. Mr. Archenhold and I had a long talk yesterday with Judge Clarke. He and Judge Ethridge, go to Austin tomorrow (Sunday) night and will argue the habeas corpus case on Monday, but he says we must not depend on that even if they win it. We must organize in good shape so as to be able to work politically and locally. He says we have got the fight of our lives before us and if we do not go to work, we will have a worse fight than we did in 1887.

"Think over these matters carefully, talk it over with your friends, and let us be prepared to act at our next meeting. We are burning grass under our feet every day we postpone this matter. We must act and act at once.

"Kindly return letter and let me hear from you on the subject." (S.-245-247).

In letter from S. T. Morgan, Dallas, of the Dallas Brewery, as secretary of the Brewers Association, to the members, May 6th, 1902, the members are instructed to refer "all communications and solicitations "RELATIVE TO LOCAL OPTION ELECTIONS" to the President of the Association, Otto Wahrmond, or the Secretary, S. T. Morgan. (S.—273).

*Secrecy*, as to the activities of the Association, is enjoined upon its members and representatives, in a letter from the Executive Committee, per S. T. Morgan, Secretary, May 19th, 1902, to members of the Brewers Association, wherein it is said:

"We beg to call your attention to the publicity given our organization through the press, and we regret to say that it would seem that the information was obtained from some of our members.

“We believe that success depends largely upon every member being extremely guarded, even in talking to the best of friends, and that our business is ours strictly, and does not, (at least should not) concern any one else. Unless this is done, and STRICT SECRECY MAINTAINED, we will have to make an open fight, and we are not sufficiently organized or prepared for this at present.

“We feel that you will appreciate the situation, and we hope you will impress each and every one interested with the great importance of keeping our own counsel.

“We would also suggest that you earnestly and emphatically impress upon your customers that SPECIAL ORGANIZATIONS OF SALOON MEN formed for the purpose of taking an open and leading part in the campaigns is calculated to create a prejudice in the mind of a great many voters who will either vote against us, or remain away from the polls on election day.

“In our judgment SPECIAL ORGANIZATIONS OF THE SALOON MEN formed only for the purpose of taking active part in the elections gives to the Prohibitionists one of their most effective arguments and they take it up and work on the prejudice of the people by saying that the fight is against the SALOON MEN ONLY:

“We would therefore most earnestly request that you advise all of your customers to let their organizations, if they have one at all be secret and for the purpose of raising funds; leaving to those engaged in other pursuits the open fight.” (S.-291).

Something of their activities in 1902 is shown by the following letter from S. T. Morgan, Secretary, to Otto Koehler, of San Antonio Brewing Association, May 21st, 1902:

“Replying to your favor of the 20th inst. I beg to advise you that I am today writing all the Breweries relative to additional funds needed by our organization, and I now hand you herewith copy of letter.

“If the members do not respond promptly I will write them again in a few days, as it is very necessary that we make strong and successful fights in all the counties in which elections have been ordered, and to do this you know it takes money.

“We now have three general organizers in the field, and expect to secure the service of several more in the next few days. These men, together with the Local Campaign Manager, we think, can get our forces thoroughly organized in time to get the desired results.

“The Brewers and Wholesale Liquor Dealers were instructed to send all communications concerning Elections to Mr. Wahrmund and myself who would refer same to Mr. J. W. Riggins of Waco, and I would suggest that if anything comes up in your section that requires attention that you take same up direct with Mr. Riggins, or do in the case whatever you think necessary.

“In regard to donations and other expenditures, will say that with your approval I do not think it is necessary to wait on the Executive Committee, as I know whatever you see proper to do will have their approval, and should any of the counties in your section of the State need funds advise me the amount you think necessary and I will send draft.



“We gave to Cook County \$1000.00, on account of it being a large county and the first to vote, but we are holding the others down to \$500.00 and less, and where the election is only for a precinct we give one to two hundred dollars.

“We are having the Local Manager to work strongly on the saloon and business men in their respective counties for funds, and in this way we hope to get the burden well divided.

“I will keep you advised how matters are progressing in this section, and I ask that whenever I can serve you in any way that you command me.” (S.-294).

A letter from S. T. Morgan, Secretary of Brewers' Association, to San Antonio Brewing Association, of date 5-21-02, is as follows:

“With a meeting of the Executive Committee and Board of Directors held in the City of Fort Worth, on the 14th inst., careful and conservative estimates were made of the amount of the expenditures that will have to be incurred to protect our business from the attack now being made on it by the prohibitionists through the many Local Option elections that are being ordered. It was decided at the meeting that a fund of Forty to Fifty Thousand dollars would have to be raised, half of this amount will have to be raised by the Brewers, and I was instructed to so advise you. On the basis of our first payment each brewery will have to pay in from three and one-quarter to four cents per barrel on 1891 sales, less the amount already paid in, and in this connection I will here give you the amount already paid in by each Brewery:

San Antonio Brewing Association.....	\$1200.00
Lone Star Brewing Co.....	500.00
Houston Ice & Brewing Co.....	750.00
American Brewing Association.....	500.00
Galveston Brewing Co.....	203.64
Texas Brewing Co.....	550.00
Dallas Brewery .....	500.00
Anheuser-Busch Brewing Co.....	1000.00
Wm. J. Lemp Brewing Co.....	688.30
Pabst Brewing Co.....	100.00
	<hr/>
	\$5991.94

“You will note that the Schlitz and Miller Brewing Companies have paid nothing, but I think they will pay, say enough to increase the above amount to \$6,200.00. This equals one cent per barrel on sales of Six Hundred and Twenty thousand barrels, and the assessments per barrel above mentioned (payable say in installments of one cent per barrel as the money is needed) will raise the amount the Brewers are expected to furnish.” (S.-295).

A meeting to raise funds and for the good of the “cause” was held at Ft. Worth May 14th, 1902. What was done there is shown, to a certain extent, by the following Macedonian Cry addressed to one Adolphus Busch, St. Louis, by Otto Wahrmond, May 15th, 1902:



“Just returned from Fort Worth. Fifty thousand absolutely required. Liquor people guarantee twenty-five thousand of this amount—other twenty-five thousand to be taken care of by brewers. Committee unanimously of opinion outside breweries should provide ten thousand, Texas breweries fifteen thousand and requested me to ask you for five thousand to start ball rolling; something must be done immediately as twelve elections now ordered. Outside your donation of one thousand only, not one dollar contributed by outside breweries.” (S-280).

This call reached attentive ears, for on May 16th, 1902, Adolphus Busch wrote the following letter to one Vahlkamp, of the Wm. J. Lemp Brewing Company, St. Louis, sending Mr. Wahrmund a copy:

“I am just in receipt of the enclosed telegram from Mr. Wahrmund of San Antonio, and must confess that contents is a surprise to me. I certainly had expected that all brewers doing business in the State of Texas would promptly remit for their pro rata to the fund being raised to fight the Local Option movement.

“Mr. W. remarks they received \$1,000 from Anheuser-Busch; this is a mistake; we remitted \$2,000, but as this was \$1,000 in excess of the assessment, I asked them to apply \$1,000 on the next assessment, which I expected would be made in the near future any way.

“There is no doubt in my mind that unless we have sufficient money to make a strong opposition to the Local Option and Church people, we will succumb. We must employ the very best talent in the State, and must secure the good will of the press to counteract the war-fare made against the brewers in Texas. If we lose the majority of the counties, then I have no doubt a prohibition amendment will again be offered at the next or following session of the Legislature, and we will in such event be squeezed for far more money than at present.

“As I sail on Tuesday, I am unable to do anything further in this matter, but knowing that you share my opinion and realize the danger which threatens us in the Lone Star State, I call upon you to energetically assist our colleagues there to hold our position. I am perfectly willing to pay what is right, that is, any assessment they find themselves called upon to make according to our sales, but every other brewery doing business in that state must chip in also. I am sure the liquor dealers will do their share. Will you be good enough to request the Milwaukee brewers to pay their dues and recommend that they also pay all future assessments. Mr. Uihlein wrote me on the subject, inquiring what I had done, and I told him, but it would seem that he has paid no more attention to the matter.

“To Mr. Wahrmund I have written that I had referred his telegram to you and had asked for your hearty co-operation.” (S-282).

Busch kept the call in mind so much that on May 21, 1902, he wired G. H. Luedde from New York as follows:

“I strongly favor an assessment of five cents a barrel on all beer sold in the State to furnish sufficient campaign expenses. We must win. There must be no such thing as defeat. Inform all interested.” (S-297).

On the basis of five cents per barrel, the fund would be \$250,000.00, instead of \$50,000.00.

One J. W. Riggins, of Waco, was a Campaign Manager for the Brewers' Association in 1902 and 1903. As to him, and as to the work of the Association, S. T. Morgan, Secretary wrote the San Antonio Brewing Association, May 18th, 1902, as follows:

"I have your favor of the 18th inst. enclosing letter from Mr. J. F. Simpson of Uvalde, Texas, and I beg to advise you that I have referred same to Mr. J. W. Riggins, who will give it prompt attention.

"In regard to mailing voucher to cover appropriation will state that this is a matter on which the Executive Committee will have to act, and without their approval I am not authorized to give any vouchers, but I am satisfied that the Committee will make the appropriation, as soon as they meet, and should it be necessary to supply the Local Committee with funds before our Committee meets you can no doubt arrange it for them, and our organization will reimburse you. Will state further that the Committee is of the opinion that appropriations to thickly settled counties should not exceed \$500.00, and to thinly settled counties proportionately, and I hope you will bear this point in mind, and make the expense just as light as possible, as the elections are coming very thick, and we will have to be very economical, otherwise our funds will not go around." (S.-293).

As to the work in Central Texas, G. H. Luedde, Manager for August A. Busch & Company, Waco, wrote the San Antonio Brewing Association, 5-23-02, thusly:

"Would state for the benefit of Mr. Wahrmond with reference to our committee work, we have our hands full in this end of the territory. but we are working hard day and night trying to cover the country. We have since we met at Fort worth employed the Honorable Stump Ashby at a salary of \$150.00 per month and expenses, and he is making fine speeches for us, and doing us lots of good. We also employed the Hon. Barry Miller of Dallas, and Mr. Epstein and Levy will be here tomorrow morning and we intend to put him to work in the Western part of the State. We hired Mr. Whipple and he is doing splendid work for us. He is in Clarksville today and will meet the great prohibition preacher there tomorrow, when they fire their opening gun. We have everything nicely organized and are in a position to make a red hot fight in all of the different counties. Mr. Archenhold and I went to Hillsboro last night and met two delegations. We put the business men on the right track and gave them courage to go into the work and organize a good citizen's committee. We then met the saloon men and read the riot act and put them in line to raise the money." (S.-303).

See S.—317, 314, 315, 323, 322, 327.

Max Epstein, wholesale liquor dealer, Dallas, and an officer of the Wholesale Liquor Dealers & Brewers Association (the two then being joined), wrote Otto Koehler, of the San Antonio Brewing Association, May 31st, 1902, as follows:



“After the first numerous elections are over in this section, we will have a breathing spell during which we expect to reorganize into every county that calls an election. We have not been able to do this up to the present because of our inability to locate available men quick enough. We should have been organized thirty days sooner than we were, in which event we could have easily covered the field more closely. We think we now have an ample force, but if it is found necessary to increase it hereafter, we expect to do so. The elections that take place on June 7th in this section we consider will strongly indicate the value of the kind of work we are doing. If we should win them it would demonstrate that our work is along the proper lines, whereas if we lose in them, we will have to get our heads together again and correct any mistakes we may be making. We are doing the best we can and feel that we will be able to show results. We must rely to a great extent upon your good selves and other interested members of our association in South Texas to keep us informed of the requirements in the respective counties where elections are ordered. This taken in connection with our organizers, who will go on to the ground, will enable us to act intelligently in every case.” (S.-322).

About May 31st, 1902, J. W. Riggins, General Campaign Manager for the Brewers' Association had the following *instructions* sent to the retail liquor dealers, through the Breweries and wholesalers, as to how to proceed in administering Local Self Government in case a local option election should be called:

“1st: To give the people in the particular locality where elections are ordered to understand that it is a local fight.

“2nd: That as soon as they organize a committee of substantial business men, both farmers or citizens—outside and independent of the whiskey or saloon men that they send me the name of the chairman.

“3rd: This office will then send the chairman instructions how to proceed.

“4th: We will then send as soon as possible one of our organizers or speakers already employed to that community to get the situation.

“5th: Then will at once express the chairman a lot of already prepared literature for distribution as educational work.

“6th: As long as the prohibitionists use local talent for speakers and campaigners, we will employ or rather recommend that the community where the election is to be held secure some good, shrewd capable speaker to take care of the situation. If the prohibitionists send their ‘big guns’ to that community, we will send a man well qualified to meet him.” (S.-324).

The Campaign Manager, J. W. Riggins, Waco, appears to have been kept reasonably busy operating the process of Local Self Government, as appears from following excerpt from a letter written to Otto Wahr-mund by him, 6-3-02:

“Your favor of the 2nd rec'd. and contents noted. I have been so intensely busy in furnishing and editing about 20 papers for our cause; furnishing instructions and literature to the chairman and making about four speeches a week that I am almost broken down; still I am going



to work as near day and night as I can until the elections now ordered are over, namely, June 14 in Hill and Hood counties." (S.-336).

But hard as he and the Association worked in helping the People govern their local affairs, it seems that they had substantial assistance from New York people,—who were also interested in Local Self Government, as appears from the following letter from Cyrus C. Turner, New York, to J. W. Riggins, Waco, June 3rd, 1902:

"I have your letter of June 27th and note that the articles entitled 'Number of Liquor Dealers in Prohibition and License States' and 'Growth and Population' are satisfactory to you and that you do not care to alter them.

"As soon as the new Bureau which has been established for the purpose of publishing literature of this kind, can be gotten into working order, I will print a supply of each of these together with the History of Prohibition and some other articles which I will submit to you and forward you supplies of each.

"Your suggestion in regard to the effect of local option in neutralizing the intention or results of the Railroad Commission is excellent. It seems to me that it would be better to print a little separate folder on his subject then to incorporate it in one of the other articles, especially as the literature printed by us is intended for circulation throughout the United States. If you will prepare a brief article covering the point suggested in your letter and forward it to me I will have it printed along with the other matter in a little leaflet which can be inserted in either of the other pamphlets as desired.

"I agree with you that you want more arguments drawn from Texas sources and I note the copy of letter which you enclose and which you have been sending out with the view of getting such information. I shall be glad to receive copies of your replies when you get them. I wish I could help you in this direction, but it is practically impossible to do so from this distance.

"The difficulty which you are having in getting good men is a universal one and the great stumbling block in all work of the kind you are doing. I have met it everywhere and have had to meet the emergency as best I could, nor do I know of any plan whereby such men can be gotten, the only suggestion in this connection which I have found of any value are those of local conditions and environment in which my experience have so continually varied as to offer no special guide for future action.

"I am unable to say just how soon I can get the literature printed and forwarded to you because I must wait instructions from the committee in charge. I can have the matter printed and in the hand of the Transportation Company within forty-eight hours after I get final instructions. I am expecting these daily. It will probably take three or four days after the matter is delivered to the Transportation Company for it to reach Waco.

"I can mail the literature from this office if proper lists of voters are furnished me or I can put it up in envelopes addressed if the lists are furnished, ready for mailing and express to you to be mailed from Waco. I am inclined to think that the latter plan is a little the better,

though I do not know that it makes any great difference.” (S.-337).  
(See S.-347;  
A.-606,612).

(See S. 371, 374, 317, 377, 381, 387, 435, 438, as to Sub-Organization.)

The Texas Brewers' Association found it necessary to repeat its *instruction* as to how to manage Local Affairs, from time to time, and in July, 1902, Riggins thus jabs Local Self Government, addressed as a circular letter and mailed out to the various breweries:

“As soon as there is “talk of an election,” we want the information sent to this office. Then you should instruct your customers to call a meeting of the people in the community (not saloon-men or liquor dealers) and select three good men who should intelligently elect a Chairman to manage the campaign in that community. A MISTAKE IN THE LEADER MEANS FAILURE. The Chairman should not be elected at the first meeting. That is usually premature, and results in a poor selection. As soon as the Chairman is elected his name should be sent to this office, and we will proceed to give him such instructions, along with the lines of organization, and suggestion, and furnish him with literature and such other material as will assist in the campaign.

“We do not think it best to send an outside speaker to a community until the Pros. do so. We prefer to take care of the campaign with the local speakers until the Pros. import a “Big Gun.” Then we will take care of it with outside speakers.

“-----This office has equipped itself for a vigorous fight, but we want to do everything prudently, cautiously, and with intelligence, and with this end in view, we ask your most earnest support and co-operation.

“REMEMBER that it is very difficult for the Anti-Prohibitionists to undo in twenty days what the Prohibitionists have been doing for two or three years, educating with fallacies and delusions, the general public. Let us remove the aggravating cause, and the fight will be always less fierce.

“With sincere appreciation of your cordial and earnest assistance and co-operation and again assuring you that we will put forth every effort possible to win this fight, we are.” (S-442.)

(See S-453, Proposition to employ general attorney for contests.)

As to preventing elections, etc., J. W. Riggins wrote to Otto Wahr-  
mund, July 11, 1902, as follows:

“(1) My first work was to try to secure prominent, good men as members of our executive committee; pending this work, I was also—

“(2) Writing and did write to every County Judge in the State to try to ascertain, mainly as to whether there was any talk of a Local Option or Prohibition election in his county.

“(3) As rapidly as I could secure the names, I am mailing out educational literature.

“My policy is, “A pound of preventive is worth a carload of feure.” And I believe my work along this line has been in a measure successful.



"I think the *few* elections we are now having is largely owing to the work I have done since our meeting, in getting literature against prohibition into the hands of the people, who really do not know where it comes from."

"In every county in Texas where there is any intimation that Prohibition is going to "break out," there should be a polling list procured and furnished this office, and I will see to it that every voter in that county is furnished with certain literature." (S-463-464.)

(See S. 465, 473, 475, 394, 396, 403, 407, 410, 414, 417, 480.)

On August 7, 1902, J. W. Riggins thus describes his activities in a letter to the members of the Texas Brewers' Associations.

"This office has been very busy securing polling lists, so that we can plant a certain amount of educational work before the voters as long before elections as possible.

"We are now sending out into the counties already received, something like 100,000 items per week, which we trust will do an educational work that we may feel in the future.

"While it is very little consolation to us, I have the statement from the leaders in the campaigns in both Houston and Limestone Counties that the continual downpour of rain simply kept the Anti's away from the polls; and the Pros, always active, always ready, went through the rain and voted. It is simply the old case, of zeal and delusion on one side and indifference with truth and principle on the other; and the only way, in my judgment to reach this proposition is by a systematic educational work, which we are doing as rapidly as possible.

"We were fortunate enough to get into Lamar County about six weeks before the election and place literature, through the mail, every four or five days, we believe that had a more favorable effect in carrying that county than any other thing done.

"I would further suggest, that at an early date, we have a meeting of our committee at Waco and go over the situation carefully."

"I beg to advise you that we will likely have elections ordered, on the 11th of August, the following counties, whose elections will occur about the 1st of Sep., perhaps the first Saturday in Sep:—

"Titus, Falls, Navarro, Ellis, Fannin, Grayson and perhaps Gregg." (S-533-534.)

Riggins again delineates Local Self Government by instructing the Local People as follows August 14, 1902:

"Permit me to suggest the following to you:

"1st. It is very important, at as early a date as possible to secure from two to seven good, reliable Anti-prohibition workers in each voting place.

"2nd. Then you should be impressed with the fact that you can look for unscrupulous methods practiced by the pros.

"3rd. The weakness of the Anti-Prohibitionists has been the failure to get the men who would vote Anti-Prohibition to the polls on election day. Every county in which there has been an election that has voted for Prohibition, was lost to us because the Antis did not vote. I do not believe that there is a county in Texas that would vote Prohibition as a



whole if all the Antis would vote. The Prohibitionists know this, take advantage of it, and get their forces to the polls and defeat us in that way.

"4th. On election day the manager at each polling place should be furnished with a list of the voters, and he ought to know every Anti in his community, so that by one o'clock on that day, if all the Antis have not voted, they should be sent for promptly, with a conveyance, and asked for the reason why they did not go to the polls. This can be done better as a neighborly act, as one voter appealing to another, to save his country." (S-551.)

A call for help came to the American Brewing Association, Houston, from Livingston, and in a letter addressed to Bishop & Tew, at that place, dated August 16, 1902, it is said:

"As we have a regular organized association to take up the fight for us on general principles, it is very necessary that we should be informed as to the extent of the fight that is before us; aid will be furnished in every way possible beyond that which we might contribute locally." (A-700.)

To a call from Ellis County the American Brewing Association responded, in a letter to J. C. Farley at Ennis, dated August 18, 1902, thus:

"The matter is before our State Organization who has the matter now well in hand, the secretary of which is S. T. Morgan of Dallas. All contributions necessary for the campaign goes through the hands of the proper committees. We contribute to that fund very liberally, we therefore, feel confident that all the aid which your community may require will be forthcoming by the organization that has the matter in hand." (A-703.)

The operation of the process of Local Self Government by the Texas Brewers' Association appeared to be too much for it, for on August 22, 1902, the American Brewing Association thus calls on the Anheuser-Busch Brewing Association of St. Louis to help the local people settle their affairs:

"Several nearby counties will hold prohibition election before end of this month. Needs additional financial aid beyond that given by organized committee. We must grant request and ask you to assist in the contribution. Wire how much we should advance for you." (A-709.)

(See S-366.)

(See S-572.)

S. T. Morgan, Secretary of Texas Brewers' Association, and an officer of Dallas Brewery, thus wrote to Otto Wahrmond:

"I have your favor of the 23rd, inst., and replying thereto will state that the sum of \$250.00 has been donated to the Montgomery County Election, and I understand that Mr. Riggins, and Mr. Miller have both been at work in that County, furthermore the Polling list was secured some time ago, and considerable literature has been mailed out by Mr. Riggins' office, and by Mr. Turner of Cincinnati. I have referred your

letter to Mr. Riggins, with he request that he advise you fully in the matter.

"I think as soon as all the Elections now ordered are over, that we should have a meeting of the board." (S-574.)

J. W. Riggins wrote Otto Wahrmond, of San Antonio Brewing Association, August 25, 1902, thus:

"I am pleased to say that I visited Montgomery County on Saturday, August 16th, organized them and made a speech on Saturday night.

"They are in good working trim and are making a hard fight with fair prospects to win.

"I advised you a few days ago of the number of elections, giving names of counties, dates of elections and names of chairmen. I sent this same information to every member of the Executive Committee and to the members of the board of Directory, so that, at any time, you desire to communicate direct with these parties, you can do so and for your information as stated." (S-576.)

The following letter to the members of Texas Brewers Association was written by J. W. Riggins, September 22, 1902:

"After going over the ground carefully, it is found that the educational work which we have been doing is having its effect, and I agree with Mr. C. C. Turner of New York, who has had some 20 years experience in this work, that the only way to overcome the Prohibition "CRAZE" is to "keep everlastingly at it," pouring literature into the various places.

"I consider the effect of this manifested in the last bunch of elections. We carried Montgomery County by a large majority—we had been mailing literature into that County for nearly sixty days prior to the election. We carried Navarro County, into which County we had likewise been mailing literature for some time. Carried Nolan and Rains counties by fair majority. Lost Denton County by a small majority; also Haskell County by a majority of 10, in favor of the Pros.

"Carrying the counties as we did, and reducing the minority where we lost, are points that emphasize the importance of getting the truth before the people, and as far in advance of elections as possible.

"I desire now to ask you to assist this office in whatever way you can in securing polling lists, and especially in reporting to this office any pending elections, or any "talk" of election.

"As far as I know now, there is only one election pending, viz: Panola County for October 6th. This is being taken care in the best possible manner.

"I expect to advise you fully within a short time as to my troubles here. I feel sure I shall come out "on top." (S-635.)

(See S-636-710.)

J. W. Riggins desired the Local Option Law changed, and thus wrote about it to Otto Wahrmond, November 21, 1902:

"I desire to get you to get your attorneys to write a terse, pointed criticism as to the present local opion law, for publication. Also get them

to write a bill which you think would be fair and about the thing that we would want. I do not want this letter for publication, and especially since it comes from us direct, but I want it for information, to send to our correspondents at various places, because the average citizen of Texas does not understand the unfairness of the present local option law." (S-727.)

This suggestion ripened into the Willacy Bill Propaganda, developed in the evidence offered under the subject of Legislation.

1903.

In the first part of 1903 Riggins as "Campaign Manager" was discharged, and the burden of operating the process of Local Self Government was shifted to the shoulders of B. Adoue, O. Paget et al.

S. T. Morgan, January 21, 1903, thus writes Otto Wahrmund about the change:

"Enclosed find copy of letter that I am this day writing to all of the Texas Breweries. I am also writing the St. Louis and Milwaukee Breweries along the same lines, except that I urged them to let me have check covering both their assessments the first assessment not being paid by them. Soon as I have this second assessment in hand, I will send you the amount you think necessary, and I ask you to advise me on this point.

"Messrs. Levy, Rudde, Eppstein and myself met here today and discussed the Riggins matter, and it was thought best to have the Committee meet with Mr. Riggins as soon as possible in this City, and ask him to resign, for the following reasons.

"FIRST. That our cause would be benefited by having it go out that we had closed the Waco office, and would be a notice to the public that in future County Elections would have to be in a large measure take care of by the local people.

"SECOND. That our finances will not justify us keeping the Waco office open as it put us on record, as an organization having for its purpose the looking after of local Elections, and placed us more or less at the mercy of local Saloon men, and Campaign managers, who were inclined to put the Expense of elections on our shoulders, furthermore by closing the Waco office, we will save something like \$150.00 per month expense, although we would have to pay Mr. Riggins his salary until his time was up. It was thought in this way Mr. Riggins could not possibly take exceptions at our actions, and so long as he is allowed to draw his salary to "saw wood" and say nothing, furthermore it would become generally known over the State that Mr. Riggins was no longer connected with our organization, and whatever he might do could not be laid at our door.

"If this plan meets with your approval, I will thank you to wire me stating what day it will suit your convenience to meet with the Committee, but in this connection will state that the Waco people say it will



be impossible for them to get off next Saturday, as they have a previous engagement, of great importance for that day.

"Awaiting your advice, I beg to remain,

Yours truly,

S. T. MORGAN.

P. S.

"We will have to be careful in this matter, as I understand Riggins is in a very cross mood, and is of a somewhat vindictive nature, and if we drop him too hard, he will play for cover. Furthermore, we both know the kind of a man we have to deal with and the easy way out of this matter will be the best.

"Yours,

"MORGAN."

(S-806-807.)

Morgan again wrote Wahrmond, January 23, 1903, as follows:

"I have your favor of the 22nd inst., enclosing draft for \$1000.00. I have turned the draft over to Mr. Max Eppstein, and he will send you official receipt.

"I am glad to note the encouraging news from Austin, and truly hope that you will win out, and I am satisfied you will do so, if it be possible.

"Concerning more funds, will state that Mr. Eppstein will send you today draft for \$4000.00 this will make a total of \$10,000.00 and will leave us a little short, as the St. Louis and Milwaukee Breweries have not paid their first assessment and only you and ourselves of the Texas Breweries have paid their second assessments, but I am in hopes that all of the Breweries will send in check covering both assessments in the next few days." (S-809.)

(See S-814-817-819.)

On March 5, 1903, the American Brewing Association thus writes W. T. Jones, Oakhurst, about Paget's stewardship of Local Self Government:

"Mr. O. Paget, of Dallas, who has charge of these elections for the Antis, will, no doubt, give you all the assistance possible in order to attain the object in view." (A-811.)

Local Self Government, apparently, did not work right in Orange County, and the Texas Brewers' Association, no member or representative of which resided in the County, contested the result in an effort to correct the mistaken expression of the will of the people of that County.

Louis Schneider, of the Texas Liquor Dealers Ass'n, Galveston, thus writes on the subject to S. T. Morgan, Secretary Texas Brewers' Association, Dallas, May 28, 1903:

"Messrs. H. Levy & Co. this day presented me with a bill of Mr. Paget for \$31.80 for Expenses of his trip to Orange, Texas, on investigation of contesting the late election; Messrs. Levy & Co. contend (and I think justly so) that this bill should be paid by the Association as it is of importance to all parties concerned and not a local affair. I have of

late been asked by several of the Liquor men as to when the Association would have their annual meeting to which I replied that it would be likely held this month or early next month, can you answer this question more definitively? Can you without much trouble give me a memorandum of the financed receipts and Expenses the latter in detail. I am asked so often on this point that I would like to show it to the interested. I understand that you and Mr. Eppstein are somewhat discouraged at our general results and want to disband, this in my opinion would be a fatal mistake, the pros would make capital out of the fact that they have driven us out of the State, don't disband, put on a bold front even if we don't succeed in getting another dollar but let them think we are in the fight to a finish." (S-958.)

The American Brewing Association thus describes things in a letter to A. W. Royder, Welborn Texas, June 24, 1903:

"We regret to note that you have a prohibition movement in your vicinity. The breweries as a general thing assist in every possible manner in trying to do whatever they can but have not been very successful on account of the demoralized condition of the local liquor traffic.

"The breweries of this State have under contemplation a general meeting within the next few days for the purpose of formulating a plan by which the present prohibition movement can be checked. As soon as that meeting is held we will have some one to visit you and ascertain the true condition of affairs and will then formulate a plan, after a thorough investigation as to what financial and other aid will be necessary to make a success." (A.-884).

(See A.-885-897).

"There was an election in Harrison County in July, 1903, at which the people of that County were called upon to express their preference. Apparently they were incompetent to do so, for the Houston Ice & Brewing Company of Houston, a non-resident corporation, sent O. Paget, another non-resident, to the County to "take charge," as thus stated by Paget in a letter to Otto Wahrmond, July 14, 1903:

"By the request of the Houston Brewing Company, I went to Marshall on the 4th of July, and took charge of the campaign in the county of Harrison. I respectfully submit a very brief synopsis of the work done in that county, which may be of service to some person, who may conduct campaigns in other counties, in the state." (S.-986).

H. F. Kauffman, traveling man for the San Antonio Brewing Association, was engaged in helping out Local Self Government also, as stated in the following letter from the Texas Brewing Company to San Antonio Brewing Association, August 28, 1903:

"We beg to acknowledge receipt of your favor of the 27th inst. and at the same time offer you our sincere sympathy at the deplorable loss of your Mr. Brown at El Paso lately, which sad affair has necessitated your reinstating Mr. Kaufman in your ranks from his recent engagement organizing the people in the various counties where prohibition elections have been petitioned for. Of course, while it is perhaps a great loss to the people on our side for Mr. Kaufman to cease his work, we

appreciate your position, and congratulate you upon the chance you have of availing yourselves of Mr. Kaufman's services again at this time, when you are in need of an experienced man." (S-1040).

S. T. Morgan also writes to San Antonio Brewing Association about Kauffman's work, thusly, September 2, 1903:

"I note what you say concerning Mr. Kauffman, and I know he will make you a valuable man, and at the same time it will be hard to get any one so suited for the work he was doing for the Association, but from recent results it would seem that the Prohibition cause will have to run its course before we can hope to carry very many of the Elections. The people have simply gone wild, and it will take time to let them see the error of their way." (S11004).

The funds spent by the Texas Brewers' Association during 1905, for Local Option, and other purposes, equalled twenty cents per barrel on all beer sold in the State, or more than \$100,000.00.

In addition to this, the individual breweries spent large amounts to defeat Local Option.

The following is a copy of the "Prohibition Account" appearing on page 503 of General Ledger No. 7 of the Houston Ice & Brewing Company, showing expenditures for this purpose by that Company for 1903 and including some items spent by it through the Texas Brewers' Association:

1903.		Folio	
Jan.	17. Cash to Morgan-----	98	1,300.00
	27, Elect. Alvin -----	101	50.00
	29, Morgan -----	102	750.00
Feb.	1, Morgan acct. Transfer-----	159	200.00
	2, Hempstead -----	106	50.00
	5, Cash -----	107	95.00
	20, Cash -----	114	200.00
	21, Cash Hempstead -----	115	6.00
	Cash Morgan -----	115	750.00
	24, Cash Hempstead -----	116	9.00
Mch.	13, A. C. Oppermann-----	3	100.00
April	6, Expense, Jones -----	139	4.00
	29, Louis Dreben Henderson -----	154	100.00
May	20, W. B. Bolin, Orange-----	42	100.00
	5, Printing ballots, Paget, Dallas-----	159	4.00
	27, S. H. Hudgins, Velasco-----	172	75.00
	29, J. H. Hartzog, Hearne-----	48	150.00
June	2, Harrisburg, -----	177	50.00
	6, C. H. Walker, Harrisburg-----	180	100.00
	8, Lipscomb, Hempstead -----	181	30.00
	8, N. O. Jones, Harrisburg-----	181	75.00
	12, Harrisburg-campaign -----	184	50.00
	12, " " -----	184	128.00
	6, M. Skornpuiski, Walker Co. -----	57	100.00
	16, Calvert, Robertson County,-----	61	50.00



	18, H. O. Jones, Harrisburg-----	189	134.85
	30, O. Paget, trip to Calvert-----	1	10.70
July	2, O. Paget, trip to Calvert-----	3	26.45
	2, Cash, Marshall, Bernstein-----	6	100.00
	6, Cash, Max Andrews Labor Journal-----	5	100.00
	10, Cash, A. C. Gray, 1000 Ballots-----	8	125.00
	13, Cash, Henderson -----	10	25.00
	15, Cash, O. Paget, Marshall-----	12	67.00
	16, Cash, E. Muncey-----	12	30.00
	13, A. C. Opperman, 3000 circulars-----	79	6.00
	18, Bolin, Dft. Orange-----	14	50.00
	18, Donchoo—Falls County -----	15	100.00
	18, B. Adoue, 1-2 due Morgan, June-----	15	412.10
	21, O. Paget, Williamson Co.-----	16	18.65
	22, H. Prince -----	18	150.00
	22, H. Ludde, Waco -----	18	25.00
	22, Judge N. F. Turney-Robertson Co.-----	18	10.00
Aug.	4, Robertson Co. A. Busch & Co.-----	28	50.00
	22, A. C. Opperman, Anderson Co.-----	40	250.00
	22, Aug. A. Busch & Co., Dft.-----	40	7.50
	29, B. Adoue, Bal. June Assessment-----	44	412.10
	29, Collins & McKewen, Angelina Co.-----	44	30.00
	31, W. J. Edwards, Angelina Co.-----	44	30.00
	31, O. Paget, Palestine 6378.68-----	46	50.00
Sept.	3, R. E. Hannay, Services, Montgomery-----	51	50.00
	8, O. Paget, Palestine-----	54	70.50
	18, Arwitz Campaign -----	62	500.00
	12, J. D. Ezell, 7049.18-----	122	50.00
Oct.	23, A. A. Busch & Co, Waco Dft-----	90	6.00
	29, B. F. Florence, Diboll-----	154	30.00
	31, G. H. Luedde, Waco-----	97	10.00
Nov.	11, -----	110	7.50
	24, 1-2 printing 2000 copies Labor Journal-----	134	50.00
Dec.	4, J. H. Swope Montgomery Co. case-----	122	4.00
	31, H. Hamilton -----	212	600.00

(HH-23).

The following entry appears in an account styled "Profit and Loss," General Ledger D, pages 314-317, of the American Brewing Association, Houston:

"1903, Dec. 21st, Local Option Campaign Expense a-c, \$3830.24." (AA-45).

This represents expenditures by that Company directly and in addition to the payments made through the Texas Brewers' Association.

1904.

The following is an excerpt from a letter from San Antonio Brewing Association to P. L. Meyer, its Austin Agent, 6-23-04.

"One thing is sure, however, that the Texas breweries are good enough to fight their battles from morning until night, day in and day

out, at an expense of thousands of dollars to off-set the inroads of the Local Optionists and Prohibitionists and permit them in this manner to continue in business. We have been good enough for that purpose in the past, are now, and we presume will continue to be in the future, making a day and a night fight at an expense of thousands of dollars.” (S.-1363).

(See A-1115).

The amount of money used in these campaigns, and legislation, is indicated by the following excerpt from a letter from San Antonio Brewing Association to Mrs. W. E. Welford, et al, Eagle Lake, 7-8-04.

“Our expenses on account of the fight that we are making in behalf of the liberty loving people of the state almost equalling if not exceeding our profits.” (S.-1420).

The dividends of the San Antonio Brewing Association for 1904 amounted to \$150,000.00.

(See S. 1545-1546).

The following is an excerpt from a letter from the San Antonio Brewing Association to J. T. Gullahorn, Beaumont, 11-30-04.

“We have had so much expense fighting local option and prohibition that we are absolutely compelled to retrench.” (S.-1699).

The following is the “Prohibition Expense” account of the Houston Ice & Brewing Company for 1904, including some payments through the Texas Brewers’ Association, as it appears on pages 438-9 of the General Ledger No. 8 of that Company:

#### PROHIBITION EXPENSE.

1904.		Folio	
Jan.	2, Paget, Lufkin and Nacogdoches-----	143	37.50
	11, Wells Fargo Co. D. pkg. from Dallas-----	149	34.85
	13, B. Adoue -----	150	425.80
	15, B. Adoue, Bal. June assessment-----	151	824.20
	16, Exp. chgs. on poll tax notices from Dallas--	152	2.20
	20, O. Paget expense at Marshall-----	154	48.95
	22, Max Andrew -----	156	100.00
	25, W. J. Stevenson, Dallas-----	157	140.29
	23, E. J. Cavileer -----	156	35.00
	26, Max Andrew -----	158	100.00
	26, B. Adoue, July assessment-----	175	1680.80
Feb.	24, American Brewing Association-----	242	603.80
Mch.	3, H. Hamilton—political expense -----	184	300.00
	12, N. B. Chancey 1-4 fee J. B. Brockmann-----	190	17.40
	29, Chronicle-pub. Brewers resolutions -----	2	40.25
April	5, Poll Tax List Harris County-----	9	10.00
May	13, B. Adoue Aug. assessment-----	42	1694.60
June	12, B. Adoue, Sept. assessment-----	69	1637.00
July	6, J. B. Hooks -----	100	100.00
	11, H. Hamilton, 6 mos. to 6-30-04-----	344	500.00
Aug.	5, J. J. Moody -----	367	2.80

	31, T. Bennett, Chairman Mexia, Limestone Co.	154	100.00
Sept.	7, Limestone Co. Cash H. H. to Paget	161	50.00
	14, B. Adoue, Oct. assessment	169	1498.30
	19, O. Paget, dft. 9-14-a-c Bay City	173	75.00
	20, A. Barthlinger a-c Brunner	174	10.00
	21, Brunner Campaign—Schopmeyer	175	75.00
	28, Wm. Kenedy, services Bay City 1-2	183	54.50
	28, Wm. Kenedy, services Brunner 1-2	183	12.50
	29, J. W. Ward, services Matagorda Co 1-2	183	60.50
	29, O. Paget, expense Matogorda Co. 1-2	184	133.75
	30, Exp. chgs. on banners from Bay City	186	.75
Oct.	4, Brunner Camp, H. A. Schopmeyer	191	75.00
	12, Brunner Camp, H. A. Schopmeyer	199	117.15
	14, Cargill Co., hand bills, Brunner	201	1.50
	25, O. Paget Matagorda, \$30, Crosby \$15	611	45.00
Nov.	14, W. S. Holman, Matagorda Co.	30	50.00
	21, American Brew'g. assn., overcharge Matagorda County	56	124.37
	21 American Brewing Assn. Limestone Co.	136	25.00
	30, Paget, Matagorda Injunction case	44	20.00
Dec.	1, B. Adoue, Nov. assessment	46	1175.80
	13, J. S. Nugent	55	50.00
	16, 1-2 chge to Lone Star Brewg. Co. Matagorda	78	81.57
	23, J. E. Hustetter, Bay City	63	8.00
	31, A. B. A. 1-2 Expense Crosby	103	150.00
	(H. H. 4-5)		12,328.73

The following is the "Local Option expense account" of the American Brewing Association for 1904 as it appears in General Ledger D, page 487, representing expenditures by that Company directly and including some payments through the Texas Brewers' Association:

March	2-23	Cost a-c H. I. & B. Co.	
		1-2 amt. paid Harrisburg Camp	293.92
March	2-23	Cost a-c H. & I. B Co.	
		1-2 amt. O. Paget, Lufkin-Nacogdoches	40.25
March	2-23	Cost a-c H. & I. B Co.	
		1-2 cost printing 2000 copies Labor Journal	50.00
March	2-23	Cost a-c H. & I. B Co.	
		1-2 expenses Max Andrew	100.00
	2-19	Cost ac. H. I. & B. Co.	
		1-2 Atty. fee Lufkin	17.40
Sept.	30.	Gen. Exp. ac. Crosby Campaign,	
		Paget \$50.00, Easley \$75.00, Prince \$75.00	200.00
Dec.	26.	Cost a-c 8-31, Pd. T. Bennett,	
		H. I. & B. Co., 1-2 Anti-Prohib. Exp. Limestone Co.	50.00
	Do.	9-17 Pd. O. Paget	
		Limestone Co	25.00
	Do.	9-20 Pd. Bartlineyk	
		Brunner	5.00
	Do.	9.21 Pd. Schopmeyer	
		Brunner	37.50



	Do.	9-28	Schopmeyer Brunner -----	58.58
	Do.	10-14	1000 hand bills Brunner -----	.75
	Do.	10-14	Ex. chgs. on banner, Brunner -----	.38
	Do.	10-25	Pd. O. Paget Crosby -----	7.50
	Do.	11-21	1-2 McGregor campaign Contribution -----	250.00
Dec. 26	Cost a-c 9-21, Pd. O Paget, H. I. & B. Co. 1-4 Anti-Prohib. Exp. O. Padget			
			Matagorda County---	18.75
	Do.	9-28	Pd. Kenedy Matagorda Co-----	27.25
	Do.	9-29	J. W. Ward Matagorda Co-----	30.25
	Do.	9-29	Pd. O. Paget Matagorda Co-----	66.88
	Do.	10-25	Pd. O. Paget Matagorda Co-----	7.50
	Do.	11-14	Pd. W. S. Holman Matagorda Co-----	12.50
	Cost a-c	12-16	Proportion unpaid	
	1-2 Lone Star Brewing Co. amount-----			81.56
Credit side ledger.				
1904.				
Mar. 2-23	Cost a-c	H. I. & B. Co. 1-2 amt.	Harrisburg campaign	40.00
	Do.		Lufkin "	159.50
	Do.		Nacogdoches "	62.50
	Do.		Waller	291.80
	Do.		Austin Trip	50.00
Dec. 31	Do.		Paget-Crosby	25.00
	Do.		Easley-Crosby	37.50
	Do.		H. P. Crosby	37.50
	Do.		H. P. Crosby	50.00
Dec. 31	P. & L. a-c			677.17

The following is the "Prohibition Fights" Account of the Texas Brewing Co., including some items paid through the Texas Brewers' Association for 1904:

"General Ledger No. 7 (old)  
Texas Brewing Company  
General Expenses

		Folio	
Sept. 3rd, 1904	St. Louis B. K No. 6714	149	U. S. B. Assn--76.50
Prohibition Fights		Page 194	
Jan. 4, 1904	Cash R. L. Carr	189	1500.00
Jan. 11	" " S. T. Morgan	191	492.00
Jan. 16	" " R. L. Carr	193	1449.20

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Jan. 18	"	"		193	25.00
Jan. 18	"	"	Anderson	193	50.00
Jan. 20	"	"		194	135.00
Jan. 25	"	"		195	1120.00
Jan. 27	"	"	Wm. Capps	196	250.00
Feb. 13	"	"		5	58.60
Feb. 15	"	"	S. T. Morgan	5	1293.50
Mar. 23	"	"	Adoue	18	126.35
May 14	"	"	S. T. Morgan	42	1219.40
June 29	"	"	Adoue	60	35.00
June 13	"	"	Woodman	54	100.00
June 9	"	"	Adoue	53	1024.00
Sept. 21	"	"	B. Adoue	103	805.20
Sept. 12	"	"	Ledger a-c	147	675.00
Nov. 21	"	"	B. Adoue	126	627.50
Dec. 13	"	"		146	167.65
Dec. 31	"	"	Ledger a-c	167	350.00

The following is the account styled "Legislation (Anti-Prohibition and Local Option)" of the San Antonio Brewing Association, for 1904, most of the items being in addition to sums paid through the Texas Brewers' Association, as same appears in General Ledger No. 3 of said company:

1904			Folio	
Jan. 8	To	23567 B. Adoue	13	\$ 910.00
19	"	Cash W. D. Collins		25.00
Feb. 15	"	23964 B. Adoue		908.60
20	"	23963 B. Adoue		908.60
29	"	23980 W. C. Calloway		100.00
25	"	Cash Heilbron	39	50.00
Mar. 5	"	Record Pub. Co.	46	12.15
May 14	"	24564 1-2 of Aug.) B. Adoue		944.00
18	"	24576		944.00
25	"	M. Hirsch	611	250.00
June 10	"	24655 B. Adoue		1840.00
22	"	24816 Frost		500.00
27	"	24831 I. L. Stevens 100-100		200.00
July 6	"	Cash "T" ok	142	50.00
8	"	Gillesp. Kerr & K-Co	144	50.00
8	"	Inoge L (Kimble)	"	25.00
15	"	24985 Lockwood (Dft Old)		100.00
20	"	Cash OW City	154	93.65
Aug. 10	"	25070 "T"		500.00
18	"	First 25209		500.00
Sept. 12	"	25275 B Adoue		1592.00
Oct. 20	"	Cash C & R	234	65.00
Nov. 22	"	Cash T C ow	259	78.75
Dec. 1	"	25771 Nov 1 03		1314.40
6	"	25794 Matagorda Co.		163.13
17	"	25893 OW		100.00

17	"	1-2 of Lockhart	691	150.00
31	"	a. c. Jeff McLemore	697	500.00
(S-94.)				

1905.

Adolphus Busch of St. Louis in a letter to Zane Cetti, President of the Texas Brewing Company, Ft. Wort, 1-3-05, thus proposes and urges the breweries to assist the people of the Texas counties in the management of their local affairs:

"Now is the time when we must hold what we have, and to do this, we must strain every nerve to meet and whip the prohibitionist and local optionist; in this connection, I beg to again refer to my recent letter, in which I lay especial stress upon the importance and necessity of the brewers being united on this great question; they must show a solid bold front, and act in concert and perfect unison, and no expense must be spared to down the enemy.

"I am still of the opinion that we must have the friendship and good will of all business men, of all manufacturers, of the bankers, physicians, surgeons; these men must stand by us, because they will all suffer if our great industry is crippled by obnoxious and fanatical laws. In fact, the heads of the breweries and the chiefs of staff should do nothing else from morning until night but canvass the cities, towns and farms to present arguments in our behalf, and if this is properly and well done, we ought not to lose any more counties; on the contrary, we should gain what we lost in the past. Nobody else will do this work for us, this you will acknowledge and I believe you agree in the other sentiments I have expressed also, so I leave matters in your masterly hands and hope to receive good news from time to time." (D-257-8.)

As mentioned before, one J. B. Rayner, of Calvert, a negro preacher, was employed by the Texas Brewers' Association; on 4-25-05 O. Paget, in a letter to the American Brewing Association thus speaks of "our Brother Rayner" as having pulled off some sort of a job in an election:

"Enclosed please find check for \$25.00 advanced our colored brother, Raynor. I have strong doubts as to whether Mr. Raynor delivered the goods or not but he did not "pull our legs" for much." (A-1289.)

Paget, in a letter to the members of the Texas Brewers Association, 5-19-05, requests to be advised of proposed elections, thus:

"Once again I mail you a package of requests to be used in giving information relative prohibition agitation or pending elections.

"With the small force at the command of this office it is impossible, without your aid or a considerable expenditure of money to keep posted as to the conditions in all the counties and precincts. We therefore ask most urgently but respectfully that you enclose several of these to each of your customers, with the request to advise this office immediately if there is any prospect of an election." (S-2010.)

In a letter to Max Hirsch, Elgin, Texas, 5-20-05, the San Antonio



Brewing Association thus describes the expense of operating local self government:

“We are in receipt of your favor of the 19th inst., with check for the sum of \$250.00, for which our best thanks. We appreciate the favor.

“Noting your further remarks, beg to state that they have had due consideration. According to your line of reasoning, every dollar that we are able to save should be for you, and we cannot see it in that light. If we could not save a little, we would not be able to make you such low price on beer, and we know Max that you are candid enough to admit that we are working on a very close margin, and in view of the enormous expense that we have been put to in fighting adverse legislation, prohibition, etc., we are compelled to save every dollar that we can in order to make both ends meet.” (S-2012.)

In a letter to J. F. Lyon, Somerville, 6-15-05, the San Antonio Brewing Association thus again describes the method and expense of managing the local affairs of the counties:

“In this connection, we desire to state for your information that we hold meetings often in regard to political affairs, come together for the discussion of questions pertaining to legitimate business. These meetings are held in the interest of the brewery business, but especially to stop the further progress of prohibition, so this being the case we are at a loss to understand how any one could go ahead and act as you advise us has been done in this instance, for to our mind, it is not a question and matters but little whether the saloon men can pay a little more or less for the beer, but all the absorbing question is, can we develop enough strength to save them from destruction. In the accomplishment of this we have taken the lead in the ‘fight’ both financially and otherwise.” (S-2083.)

And thus again in a letter to Albert Johns, Shafter Texas, 6-16-05, the San Antonio Brewing Association says:

“In this connection beg to state that we have worked hard and spent large amount of money to off-set the inroads of the Prohibitionists in this state, and it is different with us than with the foreign or outside competitors. If they lose trade in the state of Texas, they have but to make the same up in some other state, whereas we have but the state of Texas alone to depend upon. We have taken a leading, in fact we might say, a first part in the efforts made to defeat prohibition, and it has been done at large expense and very hard work, and we are glad, as stated, to note that our efforts are meeting with the appreciation of friends in the state of Texas.” (S-2086.)

And still again in a letter to Murphy & Walker, Marfa, 6-16-05, they say:

“For it is an incontrovertible fact that this concern has spent large amount of money, and by dint of extremely hard work, we have developed enough strength to so far prevent a general prohibition election in this state. which, if held, would mean a very expensive and a very hard fight.” (S-2088.)

The burden of looking after local affairs is again thus mentioned in a letter to Wm. Haines, Eagle Lake, 7-22-05, from San Antonio Brewing Association:

“Don’t they consider at all what we have done for them in combatting local option, defeating adverse legislation, in fact looking out for their interest generally?” (S-2188.)

Otto Wahrmond, in a letter to B. Adoue, 8-9-05, thus qualifies as an expert in managing the affairs of counties of which he is a non-resident; speaking of an election in Cook County, he says:—

“I have had pretty good success in other elections that I have handled in conjunction with people of experience in these matters, and it is my intention to give this county *special* attention. I have two (2) parties, friends of ours, who are well posted and experienced in matters of this kind, and they will be on the ground in the next day or so to investigate separately, to hear, to feel and see all that they possibly can, and then report to me.” (S-2252.)

As showing that the Texas Brewers’ Association was not partial to certain portions of the State in looking after local affairs, the following list of counties, and results is offered from a letter from O. Paget to B. Adoue, 10-6-05, in which he says:

“You asked me to give you a list of the elections held since the inauguration of the policy of an *open fight*, (by the T. B. A.) which began May 4, 1905. The results are, either in precincts or counties where elections have been held, as follows:

PRO	MAJORITY	ANTI	MAJORITY
Gregg	219	Kimble	176
Camp	85	Liberty	31
Milam	128	Gonzales	1115
Wood	227	Leon	27
Grayson	751	Orange	345
Grimes—claimed	41	Lampasas	46
Williamson	325	Robertson	622
		Montgomery	287
		Cook	40
		Blanco	23
		Ft. Bend	22
		Jackson	46
		Bowie	311
		Grimes—In the courts.”	(T-418.)

In a letter dated October 18, 1905, from E. S. Clauss, of the Anheuser Busch Brewing Association, St. Louis, to Zane Cetti of the Texas Brewing Company, Fort Worth, Mr. Clauss conveys a message from Adolphus Busch, insisting upon an aggressive management of the local affairs of the counties by the non-resident breweries, in these words:

“Mr. Adolphus Busch, writing on the subject, is very much impressed with the policy which has been pursued in your State and the

results that have been obtained. He is fully in accord with Mr. Adoue and believes that an aggressive fight will have more chances to win than a 'still hunt.'

"In the local elections there should be able speakers in the field to contradict the pro speakers, and an energetic campaign should be conducted as the only means of enlightening the people, many of whom have heard only one side of the story.

"It requires, however, the hearty co-operation of every brewer in your State to carry into effect this policy, and Mr. Busch appeals to you personally, to render all possible support to Mr. Adoue.

"This letter is written by instructions of Mr. Adolphus Busch and addressed to all our friends who are so vastly interested in having the breweries recognized as one of the leading industries of the country." (T-413.)

In a report to the stockholders of the Texas Brewing Company, Fort Worth, about 1-1-06, covering 1905, and former years, Zane Cetti, President, thus describes the situation:

"The business transacted during the year 1906 by this company, has been in some respects gratifying. For a series of years, the inroads of prohibition into our country trade have been constantly increasing until we have been reduced to a mere handful of the points of sale representing not more than one third of our former shipping trade. In this direction, we have incurred no further loss during 1906, while we largely covered our losses on country business by the increase of our city trade, due to the general activity in all lines, and the influx of population. Our city trade has kept pace with the general improvements of Fort Worth, and the advice is hereby offered to protect this branch at all hazards. The output of beer during 1906 was somewhat larger than the year previous due to the causes above given. Our expenditures in the cause of anti-prohibition have not decreased; on the contrary, they have been larger in 1906 than heretofore. This expense has naturally lessened our earnings, and consequently, our dividends.

"There does not seem to be much prospect for the discontinuance of this costly movement, although I am constrained to advise a more rigid control of expenditures, and an insistence that at least our contributions be spent in our neighborhood. As it is now, we are contributing to the extent of four per cent on our capital stock, to a movement which is general in its nature, slow in its results, and non-apparent in our trade-territory. Excellent as this campaign of education may be, it is too costly for us to stand indefinitely, in addition to our local expenditures, which of course we carry alone." (TT-34.)

The "Prohibition Expense Account" of the Houston Ice & Brewing Co., for 1905, including some items paid through the Texas Brewers Association, as it appears on General Ledger No. 8, is as follows:

1905	Folio	
Jan. 4, Max Andrews 1-2	71	\$ 125.00
Jan. 13, B. Adoue Dec. 03 Assessment	78	1055.10
Jan. 14 W. R. Bolin, Orange Assessment	78	75.00
Jan. 18, S. M. Winters, Bryan Assessment	81	60.00



Jan. 23, H. W. Bendy, Sr.,	84	25.00
Jan. 29, McKinney	88	15.00
Jan. 30, H. S. Schopmeyer	89	50.00
Jan. 31, Bartenders' Union Poll Tax	89	25.00
Jan. 2, I. Simmons—Mart, Texas	112	99.75
Feb. 4, Tharp & Griffith—Colored Antis	94	30.00
Feb. 8, Current Issue, 100 copies	96	5.00
Feb. 8, Daily Harpoon	96	8.80
Feb. 10, W. F. Duer	97	50.00
Feb. 11, R. L. Autrey—Austin	98	68.00
Feb. 13, J. Adoue, Robertson Co.	99	60.00
Feb. 13, W. F. Duer, Waller Co.	99	10.87
Feb. 14, Enterprise Pub. Co. 10 copies	102	.50
Feb. 18, B. Adoue, Jan. 04 Assessment	104	908.65
Feb. 18, A. C. Opperman, Poll Tax	132	25.00
Mar. 5, Cash 100 copies Rice & Co Journal	116	10.00
Mar. 23, Cash chk W. K. Ford, DeRidder, La.	130	25.00
Mar. 25, Cash Draft 3-22 M. C. Harris, El Paso	132	50.00
Mar. 26, Cash 200 Copies of Nat. Rice & Cotton Journal	132	20.00
Mar. 27, Cash B. Adoue, Feb. Assessment	126	1119.80
Mar. 28, Cash Cedar Bayou Oil Co., 100 Shares	134	100.00
Mar. 30, Cash C. R. Entrtm. Members Leg.	135	36.95
Apr. 1, Cash ck O. W. Booth	139	23.50
Apr. 8, Cash	144	25.00
Apr. 13, Bottle Beer 2 cask Rept. Pts to N. V. O. Austin	173	18.00
Apr. 16, Beer, ac.: 5-4s to W. J. Williams, Hempstead	173	10.00
Apr. 16, Ice, ac: 100 lbs. “ ”	173	.40
Apr. 26, Cash, B. Adoue, March Assessment,	159	1509.40
May 3, Cash Judge Canna, Waller Co.	165	10.00
May 19, Cash, B. Adoue, April and May Assessment	179	3008.60
June 14, Cash G. Golman	200	20.00
July 6, Cash E. Clauss, Assmt 1904, 1-4	224	222.26
July 12, Cash J. A. Calvert Camp Fund	228	150.00
July 27, Cash B. Adoue, June 1904 assessment	243	1875.80
July 28, A. M. Carson—Willis, L. D. Tel.	233	.50
Aug. 18, Cash U. S. Br's Assn Extra Assmt year end 12-31-04	16	822.00
Aug. 18, Cash U. S. Br's Assn Special Assmt year end 4-1-05	16	83.40
Sept. 3, R. L. A. Sundries	261	198.00
Sept. 12, Cash B. Adoue, July 1904	41	1759.05
Sept. 19, Cash, V. V. Daniels	47	10.00
Sept. 11, O. Paget 2 cash Rep. Pts Hearne	263	21.00
Nov. 9, Cash B. Adoue, Aug. 1904, 20c per bbl.	93	1691.15
Nov. 27, Cash Tony Rec'g	107	10.00
Nov. 30, Cash Col. Tamm	109	4.00
Nov. 30, Transfer from Brewers Exch. B. Adoue	302	1568.30
Dec. 20, Cash B. Adoue Sept. 1904, 5-21-05	126	1773.40
Dec. 28, Cash A. B. A. ac. Negro. Com. 8-05	133	15.00

(HH-5-6.)

The ledger entries of the American Brewing Association for 1905, showing expenditures in elections, etc., by that Company are as follows:

“1905.

Jany. 16	Cash ac. Wellborn		15.00
18	” Colmesneil		25.00
28	” Beaumont		100.00
28	” Hempstead		15.00
31	” Bar Tenders Union		25.00
17	Accounts W. R. Bolin—Orange		
	Receivable ac. subs. to O. Dealers Ass’n.		75.00
31	W. T. Wall		20.00
20	Receivable T. P. Boyett—Bryan		
	Subs to Liquor Dealers Assn.		50.00
Feby. 10	Cash ac. Hempstead	25.00	
9	Accounts J. H. Benton—Palestine		
	Recble. ac. Don. Liq. Dealers Assn.	25.00	50.00
March 2-13	Do HI & B Co. 1-2 Anti Proh. Exp.		
	Pd. W. F. Duer ac. Waller Co.	60.88	60.88
April 29	Cash ac. H. Quillen	30.00	30.00
Aug. 3	Do. M. H. Broyles	50.00	50.00

Credit Side Ledger.

1906

Dec. 31 L & G ac. 515.88.”

(AA-41)

The “Prohibition Account” of the Texas Brewing Company, for 1905 including some items paid through Texas Brewers’ Association, contained in General Ledger 1 of that Company, is as followsq

Jan. 13th	’05	Cash	B. Adoue	Folio	3	\$ 627.20
” 18th	”	”	Levy	”	5	250.00
” 20th	”	”	”	”	5	250.00
” 21st	”	”	”	”	5	250.00
” 23rd	”	”	B. Adoue	”	6	68.50
” 27th	”	”	”	”	7	250.00
” 28th	”	”	”	”	7	250.00
” 31st	”	”	”	”	8	250.00
Feb. 7th	”	”	Levy	”	11	250.00
” 13th	”	”	Adoue	”	13	572.00
” 13th	”	”	Levy	”	13	245.00
Mar. 2nd	”	”	”	”	18	114.60
” 2nd	”	”	Waco	”	18	200.00
” 18th	”	”	Adoue	”	24	706.30
Apr. 20th	”	”	”	”	36	1010.60
May 9th	”	”	”	”	45	1082.65
June 22nd	”	”	Cameron	”	62	100.00
Sept. 18th	”	”	Adoue	”	106	2215.60
Oct. 23rd	”	”	J. B. Rayner	”	121	100.00
” 30th	”	”	Woodman	”	123	600.00

Nov.	9th	"	"	Adoue	"	134	1160.20
Dec.	1st	"	"	Woodman	"	136	600.00
"	20th	"	"	Adoue	"	140	997.80
Jan.	10th	"	"	Woodman	"	147	600.00

(T-1705).

The ledger account of the San Antonio Brewing Association styled "Legislation (anti-prohibition Local Option)" for 1905, including some payments made through the Texas Brewers' Association is as follows:

1905							
Jan.	12	To	26,050	B. A.	-----		\$1080.20
	16	"	26,061	A	-----		600.00
	25	"	26,091	Sundry Adv. etc	-----		600.00
Feb.	7	"	Cash, Harris 2z	-----			110.00
	9	"	26,119	W W B	-----		200.00
	11	"	26143	B. A. Jan. 04	-----		975.20
	28	"	26,280	V P B	-----		150.00
Mar.	26	"	26,296	B A Feb. 04	-----		1170.05
Mar.	3	"	Austin Beer 11	-----			29.40
	8	"	Austin Beer 11	-----			32.55
Apr.	15	"	Austin Beer 18	-----			141.45
	15	"	26,596	B A Mar. 04	-----		1572.30
May	7	"	26,661	Apr. May	-----		3119.05
	31	"	Cash J. W 101	-----			100.00
	31	"	Austin Beer 24	-----			69.30
June	13	"	To Cash D. and Ellison 112	-----			50.00
June	15	"	Cash, Sharpe 114	-----			250.00
	16	"	Cash Pan American 115	-----			20.00
	3	"	26,871	"M"	-----		300.00
	19	"	27,011	J. M. Sharpe	-----		250.00
	9	"	Gonzales L O 351	-----			300.00
	3	"	Austin Beer May 28	-----			57.75
July	7	"	Cash, Kyle 132	-----			16.00
	3	"	27,059	M	-----		300.00
	21	"	27,211	Comal N. Ind. collect	-----		100.00
	24	"	27,217	B A. June 04	-----		1880.35
	24	"	Austin Beer 35	-----			37.50
Aug.	30	"	27,410	dpt. O F H	-----		500.00
	30	"	Austin Beer 38	-----			12.60
Sept.	1	"	27,415	B A July 04	-----		1791.70
Sept.	1	"	Austin Beer 46	-----			34.00
Oct.	10	"	27,660	1c pr. bbl. qr. 04	-----		932.48
	10	"		10c 100 to 4-1-05	-----		90.10
	10	"	Austin Beer, Sept. 52	-----			31.50
	31	"	Austin Beer, Oct. 53	-----			18.90
Nov.	6	"	27,842	B A Aug. 04	-----		2075.80
Nov.	1	"	Lampasas 417	-----			25.00
Dec.	12	"	28,091	Automobile	-----		2.50
	20	"	28,151	B A. Sept 04	-----		1956.55
	20	"	Austin Beer, Nov. 60	-----			9.45





give us his services we certainly would not allow you to pay his expenses also. He showed us where his outlay for expenses while here, and back and forth from there, was \$43.60, and we gave him that amount to reimburse him. We also advanced him \$45.00 for his personal account, which amount you will take into consideration when settling up finally with him.

"In the beginning we set the number at 200, and he got 269. We are sending you copies of our local papers, and you will observe that there is a healthy increase in the number this year over that of last year. We have watched our fences carefully, and never allowed same to get down any place along the line, and have strengthened it very materially in places, and are in a better position now to guard our rights than at any time heretofore. We have not relaxed vigilance for a moment, nor allowed interest to lag, and have maintained a perfect organization of our forces. This we will continue to do, and propose to be found with our lamps trimmed and lights burning brightly any time they happen to call upon us.

"The 269 we secured through that source, and in addition to that gathered in a goodly number, which accounts for the increase over last year in the totals—at least, to a great extent.

"We take this occasion to again thank you for the kindness and aid extended us by yourself and Mr. Koehler, and want you both to know that we duly appreciate what you have done. Personally we wish to state that it has never been our pleasure to transact business with any concern or set of people so uniformly consistent in observing the 'Golden Rule' as yourselves, and we shall never tire of singing your praises. To say that it is a pleasure to transact business with the San Antonio Brewing Association is putting it lightly—It's POSITIVELY a DELIGHT!"

"Again thanking you for your interest manifested in our behalf, in addition to the material aid given, and with best wishes and highest personal regards." (S.-2669-70).

Reply to the above by the San Antonio Brewing Association, 2-3-06 follows:

"Your esteemed favor of the 2nd inst., addressed to our Mr. Wahr-mund is to hand during his absence in Mexico, and as he is likely to be there for some time, I take the opportunity of answering the same, and thanking you in his behalf for your many very kind expressions.

"We certainly do not feel as though we deserved so much praise and in this think that we have accomplished but a plain duty to those who are our friends, are deserving, and appreciate fair treatment, and we are only too glad of an occasional opportunity to do a good turn for those who would reciprocate, and it affords us more than ordinary pleasure to see that you are doubly appreciative.

"I note that you say relative the advance of \$43.60, and while it was not our intention to burden you with any portion of this expense, still, inasmuch as you have been so kind, we will let the transaction remain that way and will credit your account with the sum of \$45.00 amount advanced our friend for his personal acct., and will take this into consideration in our final settlement with him.



"I am very glad to note that the gentleman did such good work, and that it was entirely satisfactory to you, and the writer was well aware when he was sent that he would do so, for as my friend Callaghan remarked 'he is one of my trusted Lieutenants, and one of the best of my force.'

"I am also glad to observe that the outlook is so favorable, and that you have been enabled to strengthen your position, and sincerely trust that it may have the effect which we intended that it should have.

"Should we, at any time, be in a position to serve you as in this or any other respect, or you should have occasion to utilize our services, you have simply to command." (S.-2672-73).

Excerpt from letter from the San Antonio Brewing Association to the LaGrange Ice & Cold Storage Company, LaGrange, 2-5-06, as follows:

"We thank you for attention to the poll tax matter, and congratulate you on the good showing made." (S.-2677).

Paget's office, in a letter to the American Brewing Association, 8-29-06, indicates that the local affairs of the various counties are not being neglected by the Texas Brewers' Association; it readsq

"There are quite a number of elections pending now and Captain Paget is exceedingly busy going from one county to another and keeping all situations well in hand." (A.-1685).

In a letter to the members of the Texas Brewers' Association by O. Paget 9-10-06, he proposes certain things as follows:

"County after county hold prohibition elections of which your agents have knowledge, but they do not notify you nor this office.

"Please send a personal notice to every agent you have and tell them to promptly inform you whenever they hear of any prohibition movement. Then advise this office—so we can get in and organize or stave off the election." (A.-1697).

(See A.-1698; D.-353).

That to furnish the funds for the management of local option affairs of various counties the breweries did not depend upon themselves entirely is indicated by the following letter from the Edgewood Distilling Company, Cincinnati, Ohio, to San Antonio Brewing Association, 9-27-06.

"Your letter of Sept. 20th, has been received and we note contents. In reply we beg to state that it has cost us so much money in the State of Texas to fight prohibition elections that we do not feel that we can donate \$100.00 for the cause mentioned in your letter. We have been compelled to put up \$100.00 or \$150.00 in a great many cases where a prohibition election has been called, and we cannot, of course, respond all the time." (S.-2828).

1907.

In the following expression in a letter to Jno. F. Lyon, Somerville, 1-20-07, the San Antonio Brewing Association indicates the cost to the



Breweries of regulating the affairs of the People of the Various Counties:

“Especially considering the great expense that we are put to in other directions in fighting off the inroads of Prohibition, Local Option, etc.” (S.-2981).

(See S-3040-3093-3096-3142.)

Excerpt from letter of B. Adoue to G. H. Luedde, Waco, 4-8-07:

“You have often expressed your belief in the strong power of Brewers’ money, which is correct in some things, but not in Local Option Elections in Texas.

“During the past three years we have lost nearly all the elections where we spent large sums, and have carried nearly all, where we spent only small amounts.” (S-3172).

In a letter to Karl Kirchner, El Paso, 4-28-07, the San Antonio Brewing Association uses this language:

“You realize, of course, what great expense we are put to in various directions in the way of donations, fighting Local Option and Prohibition, etc., etc., and were we to make an exception in matters of this kind, it would establish a precedent for others, and there would be no telling where this thing would end.” (S-3173).

On 4-10-07 the Houston Ice and Brewing Company wrote B. Adoue as follows:

“I am in receipt of copy of your letter to Mr. G. H. Luedde, dated April 8th. I do not agree with you in your opinion that the Brewers’ Association must be kept out of the campaign in Waco. I think that Capt. Paget’s experience is very valuable, and that he ought to be right on the ground at Waco, acting in an advisory capacity, not seeking to direct and dictate, but to consult with the citizens managing committee. I think that Capt. Paget knows a great many things that are valuable, and can be made use of during the campaign.

“The citizens committee will need money, because the amount of actual labor to be performed is very large, and must be paid for and I think it is the brewers business to put up quite a share of the money. I am going to write Mr. Luedde saying that if you can not be induced to contribute out of the association funds that we shall certainly make a large contribution on our own acct.

“This matter has of course become complicated, and the situation rendered more acute because Tarrant County will vote on the same day, April 27th. I don’t know anything at all about Tarrant County. Have held no communication at all with Mr. Cetti, but I feel the same about Tarrant as I do about McLennan County. We must give him every assistance possible.

“It strikes me as a capital idea to have Mr. T. H. McGregor, our representative from this county, go to Waco and make a speech; also speak at other places in McLennan County, as he has something to talk about in appealing to the people to wait and see the effects of his new liquor law which carries the emergency clause, and which is effective

as soon as the Governor signs it. Baskin at Fort Worth could do the same thing; and in fact it would be a good thing to have McGregor also speak at Fort Worth. McGregor will go if a call comes to him signed by a number of citizens of McLennan County, and Mr. Stratton, who is the representative from McLennan County, and see after the getting up of the petition addressed to Mr. McGregor. It is unnecessary to say that McGregor will require a pretty stiff fee to do this work, but I believe we have reached an hour when expenses must not be regarded. I am sending a copy of this letter to Mr. Luedde, and to Mr. Zane Cetti." (TT-50-51).

On April 15, 1907, G. H. Luedde, Waco, Manager for August A. Busch & Co., wrote the following letter to Zane Cetti of the Texas Brewing Company, Fort Worth, Texas:

"I presume that you are well aware without us telling you, that we are in the midst of the worst prohibition fight that we have ever had on our hands. We have got the citizens here thoroughly organized, and the citizens are making the fight. It is not a saloon man's fight, but we must back up the citizens in a financial way. The citizens are contributing to this cause. Just how much, I don't know, at present, for the committee are hard at work. Our saloon men are also contributing all that they are able to do, so the balance will have to come from the wholesale liquor dealers and the Brewers. We have made an appeal to all the wholesale liquor dealers, and explained the situation, and asked their hearty co-operation, and we have received favorable replies from several. I have further taken this matter up with Mr. Adoue, and suggested that the Brewers' Association make a contribution, but he seems to differ with me upon this subect, so I am making a personal appeal to every brewer who is doing business in Waco and also to every brewer in Texas, asking them to contribute to the same. Mr. Hamilton of the Magnolia Brewery, seems to be very much interested in this matter, and voluntarily phoned me that he would subscribe One Thousand Dollars (\$1,000.00) to the campaign fund. Now, it is needless for me to say, that you all know that the Pros. have carried everything dry down to Dallas, Fort Worth, and Waco, and if they break the firing line, it will not be but a few years until they clean up the entire state, so it appears to me that this matter in which you are all vitally interested. This fight will cost at a low estimate, Fifteen Thousand Dollars, as you are aware that everything that we do, we have to pay for, whereas, with the other side, all the preachers are working continually and without pay. There are 35 preachers in the field now, in McLennan County, trying to win the fight. They are going from voting box to voting box, making personal appeals, and preaching every night. This must be counteracted, and the only way we can do it, is by getting the very best men in the country to do this work, and these men cannot always be had for patriotism. So hoping that you can see your way clear to make us a good liberal contribution in this matter, and appreciating your check for same, we beg to remain." (TT-80).

On 5-17-07 B. Adoue wrote the Texas Brewing Company as follows:

"I am reliably informed that an election will be called for Eastland



County at an early date. It is now dry and can be made wet, if proper efforts are made. I suppose you are controlling the business in that territory? If yes, will you manage the campaign? or do you want Paget to take charge of it? The plan of campaign must be to induce a few leading citizens of the county to lead the antis. and most of the money required must be paid by the citizens. I have written a similar letter to Mr. Luedde, who might be selling in that county." (T. T.-20).

That the Texas Brewers' Association does not propose to allow the will of the people of any county or precinct to be expressed except after the light of its instruction is indicated by the following letter from Paget to the Members of Texas Brewers' Association, dated May 8, 1907:

"All the indications point to many elections being called during this month. In most of the counties grand jurors are in session or will be and advantage will be taken of same to call prohibition elections. I will respectfully request that you write your patrons in various counties and precincts, asking them to advise you of any prohibition movement and you will kindly, in turn, notify this office. Whenever this office is notified in time to get into the fight at an early date, we generally defeat the pros; but waiting until the election is over, then going into the courts, trying to set aside the vote of the people, indicating their will in the matter, is very poor policy, costly and unsatisfactory. I therefore, ask that you will notify this office just as soon as you hear of prohibition agitation stirring in any county or precinct. I will appreciate it and do the best I can to render assistance." (T-795.)

On 5-21-07, B. Adoue wrote this letter to Texas Brewing Company:

"Your letter of yesterday received, contents well noted. There are now called nine elections to take place before June 15, and our time (can't read this) is all on the go. Mr. Paget will be in Teague, Freestone County, Thursday, and from there will go to Cisco, Eastland and Brady. After completing his work in the three counties, will go to Smiley and Buenavides; our intervention will be only of an advisory capacity. The citizens of Corsicana and Austin appear to be well organized for an anti victory. Manor and McGregor are very doubtful." (T. T.-21).

Paget's report for May, 1907, dated 6-2-07, to B. Adoue and members of T. B. A. shows that the local affairs of several Counties were not allowed by the Texas Brewers' Association to suffer by its neglect; the Report says:

"I respectfully submit my report for the month of May. In so doing, I beg to call your attention to the fact that the results of the local option elections held are clear vindication of your course. When you took charge of matters two and a half years ago, I did not think that in so short a time you could overcome the prejudice of ages—but events are rapid in these days—and the men who would shrink two years since from being connected with the anti movement are now willing to come to the front. You have in that short time, raised the traffic to a plane of being connected with the anti movement are now willing to come to the front. You have, in that short time, raised the traffic to a plane of respectability whereon the best men of the state are willing to stand."



"I will say—we won elections during the month as follows: Runge, (Karnes County), Tarrant, McLennan, Travis and Waller Counties. We had a dog-fall in Nederland, Jefferson County, in as much as we have gone into the courts and enjoined. The election was not legal—as I told you before it was held.

"The courts set aside the elections held in Callahan and Henderson Counties—both are now wet—and the only defeats we suffered were in the Crawford and McGregor precincts in M'Lennan and a small box (by agreement with your agents) in Travis. The elections to be held in May are: Eastland and M'Collough Counties; Benavides (Duval County), Fairfield and Teague, (Freestone County)—all of these to be held on the 8th inst. The County of Corsicana and the Smiley precinct in Gonzales County on the 15th. Three precincts in Jefferson on the 22nd." (T.-812-13).

Apparently the People of Jefferson County were regarded as being incompetent to arrange their affairs, and it became necessary for the Texas Brewers' Association to fix the election; says O. Paget, in his letter to Otto Wahrmond, San Antonio Brewing Association, 7-26-07:

"Elections were held in three precincts in Jefferson County of which Fannette was the principal and were carried anti because of the action of your Mr. Gary in that precinct—he and I made two trips there and we "fixed" matters so the election would be declared in our favor. If we had not done so, the elections would have gone pro. The agreement which was made by your Mr. Gary was that \$40.00 would be needed to employ riders to bring the antis out to vote and provided certain parties would deliver into the hands of the antis two certain boxes, they were to have \$85.00—making a total of \$125.00. It was the cheapest election where so much was involved. I was ever in—or had anything to do with. Mr. Gary asked me to notify you people about the deal, which I did—the "goods were delivered"—the three boxes were declared anti by a decent majority and Mr. Gary was bound to keep his word with the parties with whom he had made the promise. I know of no other brewery selling beer there (other than yourself.) If there is Mr. Gary nor I did not know it. In fact I would not trust any other agent in a matter like that—it was a matter a little bit delicate and required considerable discretion. Of course, if any other brewer is interested he should put up his pro rata and if you will instruct me as to who is therein interested, we will take it up with him. If you will write me to that effect, I will see Mr. Adoue and have it charged to the association as a whole." (S-3413.)

The Gary mentioned in the last letter was "Agent" for the San Antonio Brewing Association at Beaumont, and the expense mentioned was charged to San Antonio Brewing Association. The cost of the fixing seemed to be reasonable, and satisfactory to the San Antonio Brewing Association, for in a letter from the San Antonio Brewing Association to O. Paget, 7-28-07, it says:

"I am in receipt of your favor of the 26th inst., and will state that the letter to which you refer was never received by us. In view of your explanation, however, will state that the item of expense referred to is all right, and Mr. Gary's account will be credited accordingly." (S.-3415).

It seems that the matter of looking after the Local Affairs of the citizens of the various counties was, in part, shifted from the Texas Brewers' Association, to the various members thereof, as indicated by the following letter from S. T. Morgan, Dallas Brewery, to R. N. Stafford, Mineola, 8-14-07:

"At our last meeting it was understood that hereafter the Breweries doing business in the section of the State in which local option elections might be called would in a measure look after the expenses of said election, and that no direct contribution would be made by the Association, but that the Association would furnish literature that might be needed, and give whatever assistance they could in a general way; Hence, before taking the matter up with the other Breweries I will thank you to advise me what Concerns you think will enter the Mineola market in case the County should go wet, and I will take the matter of donation up with them. As to our part of the expenses, you know we will do whatever you may suggest, and I believe you will appreciate the importance of not scatter our request too much, as otherwise we may be turned down in a good many cases on the grounds that they had no trade in the Town." (D.523).

And the following letter to B. Adoue by S. T. Morgan, 8-14-07:

"Enclosed find copy of letter that I am writing the Hon. R. N. Stafford of Mineola, Texas, by this mail, as I remember it was understood at the San Antonio meeting that hereafter the Association would not make any contribution to local option elections, but that such expenses would have to be taken care of by those concerns that expect to enter the market to be effected. If my understanding is at fault, will thank you to advise me in order that I may place myself right with Senator Stafford." (D.524).

(See - A-2118—Antony).

On 9-12-07, B. Adoue wrote the following letter to Zane Cetti, of the Texas Brewing Co., Ft. Worth:

"We carried Milam County and lost Llano. We had expected both results; antis were prepared in Milam and not in Llano. We did all in our power to prevent calling that election in that county until next Feb. when poll taxes will be paid. Against our advice antis have called an election in Grayson County, and are making an investion. We fear antis have made a mistake—should have waited till next Feb. but we will do our best to win. Same conditions prevail in Williamson County, but we hope to succeed in postponing call till next spring." (TT-21).

That the Texas Brewers' Association, however, did not lose interest in the people's Local affairs, is indicated by the following letter from O. Paget to the Members of T. B. A. dated 11-13-07:

"The following counties have elections called or pending: Tom Green, Williamson, Camp, Upshur, Potter and Jefferson.

"Will you please give me, at the earliest possible moment the name of the best man in any of these counties in which you are interested, with whom this office can get into correspondence." (T.928).



“and we are forever and eternally fighting the battles of the legitimate saloons, and warding off the inroads of Local Option and Prohibition, not only devoting our own services to the cause, but spending a large amount of money with that object in view’ as well.” (S-3778).

“We have your kind letter of January 25th, together with one from the Model License League, both of which request that we become members of the League, and offering reasons therefor.

“The National Brewers’ Ass’n. we trust has accomplished some good, but as a matter of fact we have absolutely failed to note any benefit derived from them so far as the Texas Brewers are concerned. Conventions, Bureaus and Resolutions will in our opinion, accomplish nothing; you must be prepared to spend large sums of money along the same lines followed by the Texas Brewers’ Ass’n. before any real good will ever be accomplished for the Brewing industry.

The Ledger Account of the Houston Ice and Brewing Company for 1907, styled "Prohibition," showing payments by that Company during 1907, including payments made through the Texas Brewers Association, is as follows:

Jan.	7	Cash:	Capt. Paget to Austin-----	110	217	45.00
"	17	"	"	378	227	125.00
"	18	"	Jno. Marshall; Rice Men---	412	227	50.00
"	23	"	Wheeler & Clough-----	500	230	450.00
"	23	"	Capt. Padgett -----	507	230	160.00
"	26	"	Assmt. October 1905-----	578	232	1491.70
"	28	"	Adv. Labor Organization---	583	230	10.50
Feb.	14	"	V. V. Daniels-----	933	7	50.00
"	14	"	Capt. Padgett -----	952	8	50.00



"	14	"	Assmt. Sales Nov. 05-----	953	8	1271.90
"	18	"	Adv. Milten Everett-----	1046	10	50.00
"	20	"	Matagorda Co. -----	1106	12	50.00
"	28	"	Assmt. October 05-----	16		951.15
Mar.	1	"	Stenographer, Trinity Cases	1260	19	127.80
"	16	"	Assmt. Jany. & Feby., 1906--		30	2129.95
"	25	"	Order, R. L. A.-----	1815	35	100.00
Apr.	16	"	Assmt. Mar. 06-----	2391	56	1339.00
May	14	"	P. M. Curry, Waller County	3017	77	50.00
"	17	"	T. H. McGregor-----	3097	80	250.00
"	24	"	J. B. Rayner-----	3234	84	50.00
May	24	Cash:	Assmt. May 06-----	3251	84	3359.10
May	24	Cash:	O. Padgett, Adv. G. D. Hunter -----	"52	84	250.00
June	4	"	P. M. Curry, Waller County	3460	93	125.00
"	5	"	R. E. Hanney, Waller County	"85	93	500.00
"	18	"	J. B. Rayner -----	3804	103	150.00
"	24	"	S. L. Gordon -----	3942	106	100.00
"	27	"	Assmt. June 06-----	4021	109	2175.50
"	25	Marten Holm, Mexia; Alice Atty. fee, etc.-----	595	111	100.00	
July	15	Cash:	Atty fees; Brazoria County--	4314	125	100.00
"	19	"	1-3 exp. Limestone County--	4564	129	232.03
"	24	"	J. B. Rayner-----	4652	132	30.00
"	31	"	R. L. Autrey-----	4786	139	100.00
Aug.	15	"	A. Paget, Cleveland & Liberty -----	5269	157	50.00
"	18	"	Assmt. July 1906-----	5271	157	550.90
"	31	H. Hamilton, Expense to 7-30-01----	864	149	1300.00	
Sept.	20	Cash:	Sam Keller; 1-2 Atty. Fees, Hian -----	187	25.00	
"	29	"	O. Paget to Lake Charles--	6132	191	25.75
"	30	"	Cash Assmt. Aug. 1906----	6164	192	543.75
"	30	A. J. Reid, Expense Lake Charles----	1007	170	75.00	
Oct.	5	R. L. Autrey, a-c Grayson County--	1032	176	250.00	
"	28	Cash:	V. V. Daniels-----	6685	207	25.00
"	28	"	B. Adoue -----	6699	207	550.00
"	29	"	R. R. Ticket to Dallas-----	6711	207	8.70
Nov.	11	"	Exp. R. L. Autrey to Bmt.--	6946	218	53.40
"	20	"	V. V. Daniels, Taylor-----	7100	223	50.00
"	27	"	V. V. Daniels; Taylor-----	7220	226	50.00
"	29	"	Assmt. Oct. 06-----	7242	227	482.20
Dec.	6	"	V. V. Daniels, Exp. Taylor--	7349	231	72.80
"	30	Transfer from Brewers' Ass'n. fol----		583	1000.00	
"	27	Cash:	Assmt. Nov. 06-----	7708	241	423.55
"	31	Chas. Rogers, Taylor Anti fund-----	1258	205	100.00	
"	31	Cash:	Assmt. Oct. 1906-----	7782	244	399.25
"	31	Transfer from Brewers' Assn.-----		220	894.90	

(H. H.-9-10).

(H. H.-9-10).

The Ledger account of the American Brewing Association for 1907, styled "Local Option Campaign a-c," showing expenditures by that

company during 1907 of \$1631.56, in addition to payments made through the Texas Brewers' Association, is as follows:

Mar.	15	Accounts	
		Recble a-c Jos. Riviere-Liberty-----	558.70
May	16	Cash a-c check to H. Hamilton-----	125.00
	31	Accounts, T. Q. Wright—Hearne	
		Recble. a-c Amt. Subs. by Settoon-----	5.00
	31	Do. W. H. Kelly—Votow	
		Amt. subs. by W. G. Lockwood-----	50.00
July	5	Cash ac. Navasota -----	22.06
	24	Do. J. C. Allen—Corsicana-----	50.00
Aug.	3	Do. H. I. & B. Co.—a-c Freestone Co.-----	125.00
Aug.	21	Do. Padgett—Cleveland Election -----	50.00
Sept.	26	Accounts, W. H. Kelly	
		Recble. a-c Local Option Exp.-----	50.00
Oct.	31	Do. H. I. & B. Co.	
		1-2 pmt. to Labor Committee-----	10.50
Nov.	15	Cash a-c H. I. & B. Co., Beaumont-----	17.80
	30	Accounts, D. Cobb—Chmn. Navasota	
		Recble. a-c 15-4, Beer Donated-----	30.00
Dec.	31	Do H. I. & B. Co. 1-2 loan to Diggs & Curry— Brookshire on note dated 1-26-07, due 9-1-07, Waller County -----	175.00
	31	Do. H. I. & B. Co. 1-2 amt. advanced to P. M. Curry 5-14-07, Waller Co. -----	25.00
	31	Do. H. I. & B. Co. 1-2 amt. advanced to P. M. Curry 6-4-07, Waller Co.-----	62.50
	31	Do. H. I. & B. Co. 1-2 amt. advanced to R. E. Han- ney, 8-5-07, Waller Co. -----	250.00
	31	Do J. H. Benton, Local Opt. Exp.-----	25.00
			<hr/>
			1631.56
			(AA.-42).

1908.

In a letter to Herman D. Dreyer, Marion, February 3, 1908 the San Antonio Brewing Association makes this statement of fact:

----"and it might also be well to call to their attention the fact that if they should have trouble by reason of prohibition or otherwise, that we are the ones that put up the money to fight them."-----  
(S.-3905).

To save the "fanatics" of the Counties from themselves, in the matter of Local Self Government the San Antonio Brewing Association has been doing the things described in the following expression in a letter from it to W. N. Marshall, Miles, Tex., February 8, 1908:

----"we are forever and eternally fighting the battles of the saloon men, and defending them against the attacks of the fanatics of the state who would try and put them out of business entirely"----- (S.-3958).

(See S.-4101-4104).

The Texas Brewers' Association was not provincial; it apparently stood willing to assist the people of Louisiana as well as Texas, as indicated by the following letter from the San Antonio Brewing Association to B. Adoue, March 22, 1908:

"Noting your recent favor with inclosure of letter from the Anti-Prohibition League of Crowley, La., which I beg to return herewith, beg to state that I am glad to hear they are well impressed with Mr. Paget, and that he is apparently, rendering valuable assistance. Of course, I realize that local conditions have a great deal to do with this and here is a case where he is absolutely all right, while in other places he might possibly be just the reverse, or all wrong. As he seems to take with the people there, I would suggest that if you spare his time, and there is no particular expense involved, that you let him go. In other words, I think that it would be a good idea for us to extend to them a helping hand, and do so to all as far as we can reach, for this is a fight that is not confined to any one section but extends all over the United States." (S-4100.)

And the following letter from O. Paget's office at Galveston to Otto Wahrmond, March 25, 1908:

----"Capt. Paget is in Louisiana in the interest of the cause and in an endeavor to have them adopt a Texas plan, but any information which you may desire concerning the work in Texas will be furnished you promptly." (S-4117).

(See S-4182 and G-225).

In a letter to Quirine Perales, a saloon keeper, Encinal, Texas, May 14, 1908, the San Antonio Brewing Association states this fact:

----"for here we are forever and eternally trying to protect you, spending our time and good money in fighting adverse legislation, Local Option and Prohibition."----- (S-4345.)

In a letter to E. A. Griesenbeck, beer dealer, Lockhart, May 28, 1908, the San Antonio Brewing Association says:

----"and considering the heavy expense that we are under in fighting Prohibition, we are working on a very close margin, so have to ask our representatives to spare us all unnecessary expense."----- (S-4406).

In a letter to Isidore Artmann, Brenham, June 17, 1908, the San Antonio Brewing Association says:

"--due to the fact that our expenses for various reasons are something extraordinary, notably the large amount that it is costing us to fight prohibition."----- (S-4487).

In a letter to Carl Kirchner, El Paso, June 17, 1908, the San Antonio Brewing Association says:

"----We have this Prohibition fight on hands, which means large expense, and on account of this, and the increased price of everything,



labor as well as material, what little money we can make in the beer business is being spent by us, so that we have very little, if any, margin of profit.-----” (S-4489).

In a letter to P. L. Meyer, its Austin agent, June 18, 1908, the San Antonio Brewing Association states as a fact:

“-----This Prohibition fight is costing us thousands of dollars, as we explained to you before.-----” (S-4494).

On June 29, 1908, J. E. Weeden of the Texas Brewing Company wrote B. Adoue of Galveston about the expenses of the Texas Brewers' Association as follows:

“Yours of the 25th received. I enclose herewith my check for \$1000.00.

“I note that the Board of Managers has demanded an Emergency Fund of \$40,000.00 and that Houston, San Antonio and myself have endorsed it. I am quite uncertain as to what could be raised in this city.

“Last week an excursion to Galveston was chaperoned by Mr. Paul Waples; he had a letter from me to you; was it presented?

In a letter to B. Adoue, August 1, 1908, O. Paget shows that the affairs of the People have not been neglected by the Texas Brewers' Association, saying:

“To say that we had a busy month in July is putting it mildly, and, in fact, I suppose no person connected with the Association, even remotely was idle. The writer traveled considerably in the interest of reform and the results will be seen next month when the cases come up in the various courts.

“The results in the Submission matter are gratifying. My original estimate of between three and six thousand voting majority will come near being a good guess—and outside the fact of the legal majority, the pros are so badly beaten that they will not try again two years hence, nor yet in two years after. True, Mr. Strong and his aids are whistling to keep their courage up, but, from inside information it is learned that they will accept the gage of battle on the “local option” idea and have many counties slated for elections. They say they will go through the alphabet and take them in rotation. On the other hand their defeat on the Submission question would bring many dry counties into the wet column—if our people would so desire, and do some preliminary work therein.

“If my advice counts for anything I would urge as strongly as I know how that our people do not bring on any state wide conflict nor discuss it. It will react against us later. If a fight is to be made, make it at the State Convention in San Antonio.

“The office was very busy—we completed the compilation of poll taxes of various counties and all the names signed to the anti petitions, as well as sending out much literature and receiving a large quantity from the National Association.

“Amongst the other work of the office we handled the local situation politically, and the results, as the figures show are very satisfactory and also organized and conducted successfully in Houston—one of the

largest torch-light processions ever seen in the state at a very trifling expense. (T-1097.)

The same thing is shown by O. Paget's report to his principal, B. Adoue, Chairman of Texas Brewers' Association. for September 1908, dated about Oct. 1, 1908, wherein it is said:

"I respectfully submit my report on the work of the office for the month of September—it was as usual, very busy as our friends, the pros, cut out a line of work in which they were fairly successful.

"They carried Polk County—already dry except for two places—this county was lost to us because the saloon men were indifferent in fact, agreed to close up, without a contest if the pros would permit them to run till the first of the year. Under such circumstances we deemed it right to do nothing and we withdrew from the county. Lampasas County (only the city of Lampasas was wet) went dry, not politically, but physiologically. There had been a vigorous and successful fight made in the county, the city was known to be safe—it gave 99 anti majority two years ago, and we expected 115 this time and would have gotten it, if were not that a keeper of a billiard hall beat up one man and shot another, fatally, three days before the election. The man killed had always been connected with the saloon business. The shooting took place on Friday night—the man died Saturday, the election was held Monday and the funeral procession went past the voting place. Every church in the county was pressed into the crusade Sunday; nothing was preached but the blighting influences of the saloon. There was no time to reply. The funeral procession was the last straw—the antis did not come out to vote and tho' we gained in the county boxes, the county went 88 dry—a small majority, under the circumstances.

"There was an election in the 5th precinct of Falls County (wet) we won by over a 100 majority. Also an election held in the County seat of Hamilton County. We carried it by 73. Only a few months ago there was an election for the whole county we carried it by a handsome majority. Hamilton is the only wet box in the whole county.

"This office was very busy—we sent out many thousands of pieces of literature and advised and helped out cases and matters in several sections. All of which you were advised of, either orally or in writing, as they developed." (T-1131-2.)

And a similar Report for October, 1908, dated November 3, of that year, wherein it is said:

"I herewith submit to you the report of the month of October, and it was a very busy month. \* \* \* \* \*

"The office was busy as usual and considerable literature was sent out." (T-1148-9).

In a letter to Thos. McGee, Richmond, Texas, November 16, 1908, the American Brewing Association says:

"When saloon men take it into consideration that the home breweries are spending half of their profits in fighting prohibition, wherein the foreign breweries especially the Miller, who would not contribute one dollar towards the expense should be given business at the hands



of the saloon men that we are protecting. Had it not been for the local breweries spending their money and using every possibly means in fighting the prohibition movement, the states would have been dry long ago." (A-2501).

In a letter to A. A. Norton, Wharton, Texas, November 17, 1908, the American Brewing Association says:

"We therefore, consider that institutions of that kind ought not to be supported by the saloon men of this State, as you are well aware of the fact that the home breweries are making the fight against the prohibition movement and its stockholders are using its funds liberally for that purpose." (A-2502.)

As to the cost of this and other work Adolphus Busch, St. Louis, thus wrote Zane Cetti of the Texas Brewing Company, December 5, 1908:

"----The prohibition agitation has cost me more than a million dollars already, because Anheuser Busch must always bear the burden of everything; we have been spending thirty thousand dollars every month in defense of the beer industry, and to down the prohibition craze. We have done more than all the breweries put together, and I am bound to make a part of this by looking for profits on outside investments, and especially in the real estate line." (TT-49).

A cry for funds with which to defray the expense of regulating the Local Affairs of the Counties, etc., was sent forth by the members of the Texas Brewers' Association to other liquor dealers, December 8, 1908, as follows:

"The organization launched at Houston on October 12th, by the convention of anti-prohibitionists assembled at Turner Hall, and of which Mr. J. F. Wolters is the head, must have funds to perform the vast task in its hands.

"If you read at all, you must know that the Anti Saloon League of which Sterling P. Strong is Superintendent, he being, at the same time, Chairman of the Statewide Prohibition Association, has a number of paid agents in the field—men and women. We are informed that at this time these paid agents number sixteen, and more are added to their forces.

"The prohibitionists are supplied with enormous quantities of money, and by their schemes of clothing their political moves under the mantle of religion, they raise money in the churches as they go. It devolves upon those interested in the liquor business in the State of Texas to protect their interests and substantially support the Anti-Prohibition organization headed by Mr. Wolters, because his helpers engaged in the organization of the anti forces are not like the prohibitionists, in a position to raise the money as they go, from their audiences and proselytes.

"A great many liquor dealers are drones, whose cry is that the other fellow does not put up and they are not going to put up, and with this class we are not going to waste any time. We are addressing ourselves to enlightened men only, who expect the support of the liberal element of society to be cast on the anti prohibition side, and who, themselves,



are willing to show their liberality by their financial support and their personal effort of and for the anti prohibition organization. You are one of the men considered to be in this high class of citizenship in the liquor traffic, and you are advised that you are expected to subscribe the sum of \$———— per month, to be paid on the first day of each month, as religiously as your rent, because it is even very much more important than the support of the roof over your head.”

(D-891).

(See T-1173).

The ledger account of the Houston Ice & Brewing Company for 1908 styled “Prohibition Expense,” shows payments by that Company during 1908 as follows:

1908.				
Jan.	20	Cash V. V. Daniels, San Jacinto		
		County -----	8	176
				18.95
“	20	Cash V. V. Daniels, East Texas-----	8	176
				38.00
“	20	Cash T. H. McGregor to Dallas—		
		Wood case -----	8	206
				22.50
“	30	A. B. Ass’n. 1-2 check H. H. Waller		
		County -----	239	1364
				62.50
“	31	H. I. & B. Co. Galv. Adv. to O. Pad-		
		gett P. T. Exp.-----	242	1378
				75.00
Feb.	3	Cash V. V. D. Exp. Bmt. Distr’g.		
		Ordinances -----	17	438
				84.40
“	19	Cash J. Frankel, Crowley, La. Ex----	26	748
				100.00
“	19	H. I. & Brg. Co. Bmt. to V. V. Daniels		
		2-12-08 -----	248	1406
				25.00
“	28	H. I. & Brg. Co. Bmt. to V. V. Daniels		
		2-17-08 -----	249	1418
				15.00
Mch.	8	Cash: O. Paget; advertising moving		
		pictures, Lake Charles-----	37	1088
				25.00
Apr.	18	J. A. Budd Co. donated L. O.		
		Campaign Com. -----	275	1584
				100.00
May	14	Cash, Postage Stamps a-c petitions----	82	2496
				00.00
May	15	Cash, O. Paget, Expense Cleceland----	83	2539
				32.50
“	25	Cash, J. W. Parker; a-c Brookshire----	89	2739
				75.00
“	25	Cash, J. B. Rayner -----	89	2740
				20.00
“	28	Cash, J. B. Rayner -----	90	2787
				50.00
“	10	E. G. Pitts, adv. to Daniels, Mch-----	290	1772
				75.00
July	18	Cash, H. F. Fox Sec’y U. S. Brewers		
		Ass’n. -----	133	3998
				900.00
July	18	Cash, B. Adoue, June 18 H. H.-----		3999
				2200.00
Aug.	21	Cash, B. B. C. Co. 1600 Mf’g. & Farmer	162	4916
				50.00
“	21	A. Sandaloski; Tyler -----	340	
				25.00
Sept	1	Cash, assmt. H. Hamilton-----	166	4954
				00.00
Sept.	2	Cash, J. B. Rayner-----		4959
				40.00
Dec.	31	J. B. Bisland -----	396	2577
				100.00

(HH-12).

(See A.-2536-2537).

1909.

The Breweries, along with other matters of Local Self Government seem to defend violators of the Local Option Law as is indicated by the following letters from American Brewing Association to J. C. Haynes, Henderson, Texas, January 12, 1909:

"We are in receipt of yours of the 11th, and note that you have a complaint lodged against you for violating the local option law. We would advise that you engage the same attorney to attend to your case as Mr. Farley has, as the decision in one case will have the bearing on the other. We have contributed \$50.00 towards the attorney's expenses in the Farley case, and as both cases will be fought on the same ground, we have concluded to send one of our attorneys to assist, which, no doubt, will be satisfactory to the attorney who is handling the Farley case.

"Let us know at once whether the arrangement suggested will be satisfactory, obliging." (A-2552).

In a letter to S. E. Lanier, Marquez, Texas, May 6, 1909, the American Brewing Association said:

"We beg to own the receipt of yours of the 4th, and note that you have a prohibition election to come off shortly, and that considerable money is needed to defray the expenses of the coming contest. The breweries of the State of Texas, for the past twelve months, have had the same kind of work to contend with in many parts of the State, and while the expense incurred was great, we, however, do not regret the expenditure as long as results are obtained, and we hope that your effort in that direction will be crowned with success." (A-2655).

Another cry for help in Paget's behalf thus came from W. J. Althans, of the Anheuser-Busch Brewing Association, St. Louis, in a letter to the Texas Brewing Company, Fort Worth, May 17, 1909:

"Mr. Adoue is not able to cover simultaneously the ten local option elections called, and which are to come off shortly, and for this reason the campaign in Dalhart, Dallam County, must be cared for by the breweries interested, and the expense of same will be prorated after the matter is settled." (TT-65).

And the Anheuser-Busch Brewing Association wrote on the question of expense in this wise in a letter to the Texas Brewing Company, May 24, 1909:

"Your favor of the 15th inst. at hand and in answer beg to state that we will contribute a part of the expense, but to us the amount seems rather high, and as the other parties interested have not contributed, it is rather too large a burden. Our rule has been to contribute but one half of the ration on sales which local Breweries contribute, because their interest is so much greater, and as you well know, that we are placed under very heavy expense to protect the industry in your State, it is but proper that in this case the rule above referred to should obtain."

(TT-65).

The local affairs of Coryell and Comanche Counties appeared to need some attention from the Breweries in 1909, and they were promptly

looked after as shown by the following letter from R. L. Autrey, of the Houston Ice & Brewing Company to J. E. Weeden, of the Texas Brewing Company, May 20, 1909:

"I learned today from a party residing at Comanche, that the local option election has been called for June 6th. I have requested Mr. Radney to go to Gatesville, in Coryell Co. and he is there today. I have asked him to go to Comanche, when he gets through with Coryelle, which will be within two or three days.

"If you know any parties in Comanche who are reliable and stand well, and whom we can use, I wish you would write me at Houston and furnish me their names? Are any of your traveling men well acquainted in Comanche? If so, it would be a good idea to send them there.

"Mr. Adoue is willing to spend some money, provided we have a good chance to win. If your men can find out the true condition of affairs, it will be a very valuable thing to know."

(TT-31-32).

It appears that the management of the People's Local Affairs became burdensome to the Texas Brewers' Association, during May, 1909, for on 5-13-09, O. Paget sends forth the following call for help to the Members:

"Election has been called for the following places and dates:			
Alice	Precinct-----	Nueces County	June 5th--1909
Berclair	"	-----Goliad	" 8th "
Cotulla	"	-----LaSalle	" 8th "
Smith	"	-----County	" 5th "
Comanche	"	-----"	" 5th "
Wharton	"	-----"	" 5th "
Lamar	About to be called		

"I respectfully ask if you can give me any assistance in the counties where you are doing business—the kind of assistance I want is a man capable of organizing and taking charge—he must be absolutely sober and have no bad habits of any kind—a good organizer and agreeable. If in Southwest Texas, a knowledge of Spanish would help.

"This is the first time this office has ever asked help and would not now but all the elections are called at once. This is the crucial time for brewers—get into the fight—the life of your business depends upon it. The prohibitionists have sixty men in the field and you have only one. They seem to have unlimited money and every church is a collecting bureau for them. Get into the fight and get in quick. The day for quibbling is past—you will get the blame any how and you may as well have the game as the fame,—get in and fight them—get in the first lick, the last and put in a few in the middle.

"Notify this office whom you will send, if any one, giving the date of his arrival and the place where you are sending him, so that the lines will not get crossed. Samples of literature which we have in the office will have been sent to some person in each county or precinct affected and as many as will be called for will be sent.

"I may have to spend considerable of my time in Smith Co. I am going to Wharton County Tonight, thence to Smith. For the good of



the association I must spend the 18th, 19th and 20th in Galveston." (T-1263.)

(See A-2662.)

B. Adoue declares that the Breweries are the only ones directly interested in these local affairs, etc., in a letter to the American Brewing Association, 5-25-09:—

" 'Indifference' is your inclination, and 'fault finding' is Mr. Hamilton's continuous work, neither doing real active work to protect the Breweries from attacks of prohibition. The Brewers *have been, are now, and will be* in future the only parties directly interested in the fight against prohibition; they must sacrifice time and money if they expect to be allowed to exist. It costs money to fight prohibition elections, and if Mr. Hamilton did his duty, he would talk less of being 'grafted.' He should go *in the field* to *personally control* expenses, do anything and quit grumbling; he actually acts as if he believes that wide state prohibition will be in force in 1911 and meantime all the saloons will be closed by local option; what does he mean and what does he want?" (A-2683.)

On 7-12-09, B. Adoue thus wrote Zane Cetti, Texas Brewing Co., Ft. Worth, about the task of the Texas Brewers Association:—

"Your letter of yesterday is received, and I know not how to answer. All you write is to the point, unanswerable, but, money we must have, to pay past and future expenses, which have been, and will continue to be very heavy. I do not see how and on what basis your brewery can escape its share of contribution and your remittance, basis of 20c per bbl. from January 1st, to July 1st, 1909, will be appreciated. On that point, negotiations are now in progress with Mr. Wolters and committee for preparing the next campaign. Local option elections are to be called by wholesale in both dry and wet counties, and from the result of these elections will largely depend the shade of the next legislature. Dry districts as a rule elect prohibition members, what is our duty? No one outside of the breweries has sufficient interest to sacrifice either time or money, but we must do both. I would very much like to see you present at the next meeting, to be held at an early date, probably San Antonio, as matters of vital importance will be considered." (TT-67-68).

And again on 7-14-09, B. Adoue thus wrote J. E. Weeden, of Texas Brewing Co., Fort Worth, Texas:

"Hardin and Goliad remain wet. Crawford will be the next election; it will no doubt remain dry. This office did all in its power to prevent the election in that precinct. Next in order is Limestone County; we expect to have there a very strenuous fight, similar to Hardin County, where we did win by only 24 majority. The Prohibitionists threaten to contest. Petitions are in circulation in several counties, and we must offer resistance, otherwise, local option would soon accomplish the prohibitionists object, close all the saloons and breweries." (TT-22-23.)

On the 6-3-09, O. Paget reports on the May 1909 activities as follows, addressed to B. Adoue, Galveston, and copy of which was sent

to all members of the Texas Brewers' Association:

"I need hardly call your attention to the past month—it was the busiest period in the history of the association.

"The antis called elections in the Counties of Smith, Corryell and Comanche—the pros in Freestone and Wharton, as well as in the following precincts—Alice, Nueces County—Berclair, Goliad Co. Cotulla, La Salle Co. Dalhart—Dallam County—making it in all eleven elections to be held between the 5th of June and the 12th.

"All of your association seems to not understand the gravity of the election in Smith County. It means the political life or death of Cone Johnson, the champion and recognized head of the prohibition forces and their logical candidate for governor and who has assumed the leadership of the pro forces in this county—even his wife is in the arena in his behalf, but withal at this writing this is no man's race. I confidently believe that if we had no other elections on hand and could have devoted our whole work to Smith County, the result would not be doubtful. The Pros have publicly announced that if they lose in the county, they will, at once call an election for the Tyler precinct—the only wet precinct in the county—'Rule or ruin' is their motto.

"The election in precincts I will not discuss in this report as the various counties are sufficient, and they only in a brief way. San Antonio has responded to the call for help in its neighborhood; and what with the work of the office and the help it could spare—we will win in some of the contests. If we lose in Alice it will be due solely to the rivalry between the local saloon men, who have been rather a detriment than a help in the contest, of which I may have to say more later.

"The precinct elections are being fought out as best we can with our limited field force, ably assisted by San Antonio. The office has been busy—more than busy, obtaining poll tax lists of the various counties making eight to twelve copies of each and sending out all kinds of literature. I enclose copy of the latest, which if used rightly will make us votes. If it is now possible to adopt a standard form as the 31st Legislature has defined the form of ballot to be used in local elections." (T-1270-1271-1272.)

On 7-2-09, O. Paget reports for June of that year to same parties as follows:

"The month of June was a banner month for the association—the pros called nine elections—the antis four—in no case was there an anti victory where the antis called an election and the pro victories in the wet precincts are insignificant except the Alice precinct in Nueces County and that election is being contested.

"FREESTONE COUNTY—This county was made a test by the pros. Their best men were sent in including Cone Johnson, Strong, Stewart and all their heavy guns—we met them on every stump the election was entirely managed by your office, even to furnishing a Secretary with them and won by a majority that will keep the pros quiet for some time in Freestone County.

"The office was busy during the month—the writer was mostly absent. Almost every county in which an election was held had from ten to fifteen copies of their poll lists made.



"The amount of literature calls was startling—but was sent in every case." (T-1285, 1287.)

On 9-1-09, O. Paget thus reports to B. Adoue for the month of August:—

"It is not necessary to call your attention to the activity of the month of August on the part of the prohibitionists and a corresponding activity on our part. In the July report, it was said that there would be many elections in August, and there certainly were.

"It is a pleasure to chronicle that our side of the fight was very encouraging as the following shows:

"We won—Nixonville and Smiley in Gonzales County  
Goliad Precinct in Goliad County  
Sonora—Practically the county—Sutton County  
Mason County  
Reagan and High Bank—Falls County  
Oakwoods—Leon County—dry—went wet.

"We lose—Limestone County  
Rockport in Aransas County.

"But we gained a legal decision in the Hardin County case, which sets at rest the contention in that county. The plans laid down by the Hardin people on my first visit to that city on the 30th of July were carried out to the letter, and I am pleased to say successfully.

"There are pending elections in Liberty County—in Shelby, Clay and Childress Counties—Floresville in Wilson County and two dry precincts in Henderson County. In Liberty, Bell and Floresville (Wilson) I am looking for a victory—in the others the result is to say the least doubtful. The best thing to be done in all is to get along on the smallest expense possible. This is not always easily done, especially in dry counties, where the election is usually called by some few who think they can 'make wages' out of the contest.

"There were few poll tax lists copied by the office and copies of the Brewers' Challenge and other literature sent to every county official in th State. This requires extra office help.

"The calls for literature were many,—in every county and precinct in which an election was held, literature was circulated, and if there is a change in sentiment in the state, I think it is largely due to the class and quantity of the literature which you are distributing. It is all gotten out in cheap form except the book published by Dr. Lincoln, and copyrighted, which he has given the association free of cost. This book has taken a great hold amongst the people and is doing much good." (S-5736, 5737.)

The following is a letter from G. H. Luedde, Waco, Manager for A. Busch & Co., to Otto Wahrmund, San Antonio Brewing Association, 10-18-09:—

"I notice that you have arranged with Monta J. Moore to look after certain interests. Mr. Moore and I have been talking matters over with reference to McLennan, Falls and Milam Counties. In conversation with him, I find that he is figuring on making his headquarters at Houston. Now, as nearly all the headquarters are either at Galveston, Houston, or



San Antonio, don't you think it would be best to have Mr. Moore make his headquarters at Dallas, Fort Worth or Waco, so that he could keep in touch with the Northern and central part of the state. it seems to me it would be a saving of railroad fare, and would keep in close touch with the interest that he is to look after. I am merely offering this as a suggestion Mr. Wahrmond and you can do as you think best in the matter. He is arranging with M. B. Davis Jr. for stenographer." (S-5806.)

(See-T-1331.)

1910.

On 2-15-10 the San Antonio Brewing Association sent the following notice "*To All Agents:*"

"If there is any talk of a Local Option election either there or at any place in your vicinity, will appreciate it very much, if you will kindly notify us at once with full particulars, as far as it is in your power to give. It is very important that we hear of such things in ample time, for reasons which you will appreciate so kindly do not neglect this." (S-6000.)

On March, 8, 1910, Adolphus Busch, Pasadena, California, wired Zane Cetti of the Texas Brewing Co., Ft. Worth, Texas, as follows:

"No money or labor should be spared to re-capture Grayson County out of the clutches of the pros." (TT-53.)

On 3-27-10, B. Adoue of Galveston, Texas, wrote Zane Cetti of the Texas Brewing Co., Fort Worth, Texas, as follows:

"Your letter 25th inst. recd. with check \$1311.35 for which the treasurer of the Brewers Assn must be thankful, but, frankness compels me to state that I would have preferred not to have received the check on such conditions as you specify in your letter. Credits and debits occupy too prominent a feature. I can see but one end, and that is the Assn' will receive no money from you during 1910, as the local defense will more than absorb the \$10,000, the amt. you fix as your contribution.

"I am really not clear on that subject. What I must know; can the Assn. depend on any 'stringless' contribution from you during 1910?

"On 1st of this month, the Assn. had an overdraft of over \$8000, and to it, current monthly expenses, above \$10,000, total needed Apr. 1st over \$18,000. How much will you contribute towards paying that sum?

"In that statement is not included the Grayson Co. expense, abt. \$9000, disbursed by Mr. Autrey.

"Permit me to say, Mr. Cetti, that unless the members respond liberally, the Texas Brewers Assn. will soon cease to exist." (TT-54.)

On April 24h, 1910, B. Adoue again wrote Zane Cetti of the Texas Brewing Co. as follows:

"I have received your letter of 22nd inst., and you are absolutely correct in stating I 'do not understand the proposition' and your letter does not in any way enlighten me as to your intentions.

“For instance, Mr. Morgan has since the 1st. of Jan. contributed over \$3400; for the same period, you offer to pay 1311.35. As the sales must be nearly equal how do you arrive at the amt? If you will refer to my last letter you will see that the Grayson Co. expense is not included. Mr. Autrey did supply all the money, expecting to win the election (and he came within 230 votes out of nearly 10,000) and to be reimbursed by the brewers selling in the county; he lost, and should ~~not~~ be made to stand the entire amt. over \$8000, *although he has not asked to be reimbursed.*

“The last two paragraphs of your letter, I do not understand. The only point involved is to whether or not you have re-entered the Assn., and if yes, on what basis? A clear answer will be thankfully rec'd by,” (TT-54.)

In a letter from R. L. Autrey of the Houston Ice and Brewing Co., to B. Adoue, 4-5-10, it is said:

“It may be well to explain to Mr. C. what occurred at the meeting held before the last at San Antonio which was attended by Mr. Weeden, in which we thrashed out the question of making fight in dry counties, and I stated that at the time that our policy of depending on the counties that are attacked even if eminently successful in every respect, and that should we win every fight that all we could do is to retain territory we already held, and would not gain one inch. It is manifestly impossible to win one hundred per cent of the fights and therefore if we pursue a policy of defence only we inevitable will be wiped out. I would like for you to explain to Mr. Cetti my original proposition to undertake the fight in Grayson Co. with conditions so far as defraying the cost of fight was concerned the breweries gaining trade in case it went wet would pay it all, and in case the fight was lost, that I would individually pay one half the expense and the Brewers Assn. would pay the other half.” (T-55.)

Paget's expenditures in the operation of local self-government is thus described in a letter from B. Adoue to J. E. Weeden of the Texas Brewing Co., Ft. Worth, 1-15-10:

“Complying with promise. Paget's disbursements during past year amounted to \$52,023.” (TT-71).

On May 4, 1910, Anheuser-Busch Brewing Co., St. Louis, wrote the following letter to Zane Cetti of the Texas Brewing Co., Fort Worth:

“We received a letter from Rev. J. B. Rayner of Calvert, Texas, who informs us that he has been looking after the colored vote in your state, under your jurisdiction, and offering his services in your state campaign. We do not know whether we can avail ourselves of his services, but before answering this letter, and since he refers to you, we will thank you to advise us whether the Rev. gentleman has handled the matter to your entire satisfaction in your state.” (TT-55.)

On 5-9-10, R. L. Autrey, Houston Ice and Brewing Co., wrote the following letter to Texas Brewing Co., Ft. Worth:

“I hand you herewith a copy of letter received today from Mr. John A. Hulén, secy. of the Anti Statewide Prohibition organization. My

experience with the local option fights is that the best way is to move quickly and get rid of them before the petition is presented. May be you have a chance to do something at this time." (TT-32.)

On 5-14-10, R. L. Autrey, Houston Ice and Brewing Co., wrote J. E. Weeden, Texas Brewing Co., Fort Worth, as follows:

"Just received your letter of May 12th. Yesterday, I heard that the Palo Pinto election, that is, including Mineral Wells, was all off, that they had decided not to present the petition, or rather, to withdraw it from the Commissioners Court, and, then again in the evening I heard that the petition had been presented, and the election called for two precincts. Now, which is true? If the election is called, you should have Capt. Paget go there, and take vigorous hold and make an open fight, speakers and all, and don't do like they did in the Muentser Precinct in Cooke County, and like they are now doing in Cooke County, where they are going to loose, sure." (TT-33.)

On May 18th, 1910, R. L. Autrey, Houston Ice and Brewing Co., wrote J. E. Weeden, Texas Brewing Co., Ft. Worth, Tex., saying:

"I know that Mr. Adoue will be glad to authorize Capt. Paget to remain one week or the whole of his time in Palo Pinto County, and keep it from going dry. That is Paget's business, and must be given the preference over anything else, no matter what is on his hands at his office." (TT-29.)

On May 18, 1910, B. Adoue of Galveston wrote J. E. Weeden, Texas Brewing Co., Fort Worth, Tex., saying:

"Mr. Paget has been instructed to give all the assistance in his power to win the Mineral Wells election. He has already visited the place and will remain there next week if his presence is considered necessary." (TT-23.)

In a letter to the Smithville Commission Co., Smithville, 5-20-10, the San Antonio Brewing Association makes the following statement of fact indicative that the burden of looking after the People's local affairs by the Breweries has not grown less with the passing years:"

"and our fight against local option and state wide prohibition is costing us an enormous sum!" (S-6139.)

(See S-6155, S-6164.)

The folloing statement is made by the San Antonio Brewing Association, 6-9-10, in a letter to Schrader & Kuykendall, Thorndale, Texas:

"The Texas Brewers are the only ones that contribute to the fund subscribed for the purpose of defeating Prohibition and Local Option, and as stated it is an immense sum of money." (S-6174) 2nd (S-6174).

(See S-6468.)

Letter from O. Paget to Otto Wahrmond, of the San Antonio Brewing Association, 11-2-10:—



"I am looking for the County Commissioners in many counties of the State to call elections this month, as this is one of their regular meeting periods.

"Will you kindly let me know at the earliest possible moment if you hear from any of your clients of a movement in the direction of a local option election; the circulation of a petition, or anything of that nature, and if not too much trouble, when you are sending out your monthly statements or other communications will you impress upon your agents the necessity of notifying you of any occurrence as above indicated, and oblige." (S-6488.)

To the above, the San Antonio Brewing Association replied, 11-7-10:

"Noting your favor of the 2nd inst. beg to state that we will be more than glad to advise you in case we hear of any contemplated elections. Will also write to all of our representatives." (S-6498.)

(See-S-6499).

In a letter to Schimdt & Gross, La Coste, Texas, 12-8-10, The San Antonio Brewing Association said:

"We could not afford to do that, for our margin is very close at present, especially considering the high price of everything, malt, hops, cooperage, etc. etc. and the extraordinary expense which we are compelled to take care of in fighting Local Option and state-wide Prohibition." (S-6568.)

In a letter to C. H. Sayers, Hondo, Texas, 12-20-10- the San Antonio Brewing Assn. said:—

"As you are aware, we are expending vast sum of money each year in fighting local option and State wide prohibition, in fact, had it not been for our efforts in this respect, we might have had Prohibition now, but as you know there must be a limit to this, and the election next year for state-wide Prohibition is one that will concern every business man in the State of Texas, and if we should be defeated it would mean great loss to all, in fact it would set the state back just about 20 years, so it behooves all to get together on this." S-6599.

(See S-6600, 6639, 6640.)

1911.

In a letter to Otto Koehler, San Antonio Brewing Association, 2-28-11, B. Adoue of Galveston, Texas, said:

"As you may well understand, *nothing would please me more* in connection with Local Option elections than to see the interested Breweries manage them, for every time we have tried that system it turned out a failure." (SS-105.)

In the reply to the above, 3-1-11, Otto Koehler, San Antonio Brewing Association, said:

"I am in receipt of your two (2) favors of the 28th ult. with inclosures, all of which I have carefully noted, and I hereby return the latter.

"I am glad to see that you have had a talk with Mr. Wolters in regard to Local Option fights so that he will not interfere, for he is entirely too liberal. While I know and appreciate the fact that it is necessary to spend money to save the various counties from going "dry," on the other hand, I do not think that the same should be thrown away. I also believe that Capt. Paget is pretty well up in the art of putting his hand in the "big sack," for the idea of our spending the sum of \$3000 in Caldwell County is simply absurd. We have had elections in that particular county for the last ten years, every two years, and they have never asked us to contribute to exceed the sum of \$200.00, in some instances \$300.00 or on the outside \$400.00 i. e. each brewery doing business there, and if we take into consideration the amount contributed by the merchants and saloon-men, the sum that I name would be more than ample to meet all requirements. To be called on for the sum of \$3,000.00 to be blown in, is something that passes my comprehension, and I wish that you would have Capt. Paget tell us for what purpose this immense sum of money is to be spent? It certainly cannot be question of buying the negro votes, for as I understand it, there are none to be bought in that county, and the only expense that really should be incurred as I see things would be the pay of speakers and a few dodgers and some legitimate Newspaper advertising. While I realize the importance of winning both of the elections referred to, my contention has been and still is that it will require something aside from it in order to do it and taking it for granted that two of the very best speakers should be engaged for two weeks, if paid the sum of \$10.00 per day and expenses, that would be more than ample, and figuring this as well as certain other incidentals, I still insist that the sum of \$1,000.00 would be more than enough to defray everything. I admit, however, that if brought in face of the fact that the breweries have lots of money to spend, and are lavish in dishing it out, that they will not hesitate to ask for it, for that is a very simple matter. For instance to ask for so much money for Caldwell county, where we have had so many elections, time and time again, I repeat that it is absolutely ridiculous, for not more will be required than for the purposes which I have previously set out, and any money spent in excess of that would be of no value, would not accomplish anything.

"Getting back to my letter of the 10th ult., beg to state that I may not have made myself perfectly clear to you. The idea that I intended to express was not that Capt. Paget should not go there, for I realize that we have some one such as he to help perfect organization and get things started, still, this should be done under direction of the breweries doing business in the place, and any money asked for or expended should be under their direction and control. As matter of fact the service of Capt. Paget, especially in place like Lockhart, where our two local representatives were at "logger-heads" was imperative, and I feel that he did good work there. We cannot keep proper party for this purpose in our employ constantly, and I have always inferred that that was the reason Capt. Paget was in charge of our Galveston office, that he might be called on when required, but he should report to us, for our experience gives us a knowledge of conditions that no outsider could have, and we are in better position to outline plans for its proper expenditure. I still maintain that position taken in my letter of the 10th ult., is correct, that



the breweries interested in the various sections should take care of the expense, but that the fight and money expended should be under their direction.

"I wrote you previously in regard to Runnels County, and still feel that we should not be asked for more than \$1,000.00, at the outside there, but as Mr. Wolters insists that the balance or additional \$1,000.00, will be required by reason of the impending state-wide election, why, then let the latter take care of it and pay the amount, not ask us.

"As stated before, I am glad that you had understanding with Wolters in regard to local option affairs, so that he will not interfere, and for Heaven's sake please do not let Paget make promise of funds in the various County elections without first consulting us." (SS-106-108.)

In a letter from B. Adoue of Galveston, Texas, to Otto Koehler, San Antonio Brewing Association, 3-2-11, it is said:

"I have received your letter of yesterday; its contents indicate that you are not reconciled with reckless expenses. *Neither am I* but the question arises how can we prevent it?

"Mr. Hawes says that at least 80 per cent of our work will be a total loss, but if 20 per cent results it means 120,000 votes! half of that number, or even 1-4 or 1-8 of them, might be sufficient to defeat the prohibitionists next July, we cannot afford to take any risk and for that reason we are going to spend enough money sufficient to build a fine Brewery! The same argument holds good for local option: Hamilton and Prince have paid over \$4000 one and \$3000 another time to hold Hardin County wet. Autrey spent over \$8000 to regain Grayson County and failed, and borrowed the *money to make* the fight; I divided the loss with him; and some time after the San Antonio meeting reimbursed us. Over 1-2 million dollars have been spent during the past five years to fight vicious legislation and to resist local option elections; in fact we can say that one million dollars has been spent for the protection of the Brewing Industry in Texas since 1900, or an average of over \$100,000 per annum!

"If we had not done that, where would the Texas breweries be today? By birth, education and inclination I am of an economical temperament. I hate extravagance and I have many times during the past ten years been disgusted with my work, often *resolved to quit* my position of disbursing agent, but on 2nd consideration concluded to remain, regardless of how disagreeable the work might be; *no amount of money* could tempt me today to undertake the work of keeping in line another man like I have been doing and am compelled to yet with Hamilton; to state it is unpleasant mildly expresses my feeling. One of the serious mistakes of my life was made when I accepted the position of Chairman of Texas Brewers' Association, but I accepted it and must stand by it until the trouble is over, will it ever be?

"Now as to Paget and his heavy expenses, he never spends any money without my consent, the extravagance is caused by the nature of the fights he has to make: I firmly believe that if the numerous local option fights had not been made 95 per cent of the counties would have had local option five years ago; in fact at one time, Hamilton and Prince *considered Houston and Galveston in great danger*. Not less than a



dozen times I instructed Paget to discharge all his men and to confine the work to his personal attention, but every time were compelled to rescind my orders. By personal experience I know that recriminations are unpleasant and never accomplish any good results, and will go very far to prevent them. A remedy is what is needed. I have been looking for one and have not discovered it yet.

*"Now I desire that dispassionately you and Mr. Wahrmond discuss the contents of this letter, as well as the contents of Paget's letter here enclosed, and let me frankly your conclusions. We must avoid all causes of dissension, let us all be frank."* (S-110.)

The Local Self Government of the Counties appear to have been claimed by the Breweries so completely that they claimed the right to dictate to the Antis as to when elections should be called; on this point we offer the following letter from S. T. Morgan, Dallas Brewery, to August A. Busch & Company, St. Louis, 4-18-11:—

*"The State organization also executive committeeman Kirvan of Corsicana advises strongly against election being called prior to State-wide Election and ask that we urge our friends to postpone action at this time will try and get you full particulars of the situation later."* (D-1213.)

and the following letter from S. T. Morgan, Dallas Brewery to Harry B. Hawes of St. Louis, 4-19-11:—

*"I received yesterday telegram from Aug. A. Busch & Co., St. Louis, reading as follows:*

*'S. T. M. Morgan*

*Do you approve of conducting local option campaign in Navarro County if so what amount will you contribute. We consider it unwise to have these campaigns pending the outcome of the State campaign answer.*

*Aug. A. Busch & Co., 'after consulting with Senator Watson I answered,*

*Aug. A. Busch & Co.,*

*St. Louis, Mo.*

*The State organization also executive committeeman Kirvan of Corsicana, advises strongly against election being called prior to State wide election and ask that we urge our friends to postpone action at this time, will try and get you full particulars of the situation later.*

*S. T. MORGAN.'*

*"I also phoned a friend in Corsicana, who said the sentiment in favor of calling the election next month was strong but that our friends were advising with Mr. Kirven and that no hasty action would be taken, unless the hot headed Anti's refused to listen to reason, I urged him to do what he could to postpone action until after July 22nd, and pointed out to him that unless the most influential Farmers of The County the property owners, Bankers, Merchants and Professional men of the Cities and Towns would take full charge of the campaign and show their good faith by financing as well as managing same, that the Anti's would, in my opinion not only loose the fight but would muddy up the waters for*

the State organization. I hope the counsel of Mr. Kirven and other conservative friends will prevail and I will certainly do all I can to further their wishes.

"Have just received reply to my telegram quoted above and reading as follows:

'S. T. MORGAN

Have positively declined to contribute which is most effective way to prevent Corsicana campaign hope you will do likewise,

AUG. A. BUSCH & CO.

To which I reply:

'Aug. A. Busch & Co.,  
St. Louis, Mo.

Will not only decline to contribute but will urge our Corsicana friends to conform to the wishes of the State organization.

S. T. MORGAN.'

"I will take the matter up with other Corsicana, friends and will ask them to assist us in carrying out the counsel of Mr. Kirven and Senator Watson, and I will thank you to see the Two Houston Breweries and request them to keep "hands off." (D-1214-1215.)

(See S-6877-6878.)

In a letter to Texas Brewing Co., Fort Worth, Texas, 6-21-11, O. Paget said:—

"There is a considerable truth in the 2nd paragraph, and a Sad truth at that, relating to the diminution of trade in your section and if the same tactics of defense had been adopted in South Texas, the same complaint would have to be made in that section.

"Still hunts, Pussy footed politics, lost North Texas, as it will whenever adopted.

"After July 22nd, if your people will carry the war into every dry county that votes Anti, or even gives the Pros a small majority, and make a determined effort to get the Antis to pay Poll Taxes next year by a "Campaign Education" in such counties, beginning not later than October next, you will soon get your Trade back and with a good increase." (T-1490.)

On August 23, 1911, from Mineral Wells, O. Paget wrote the following letter to J. E. Weeden of the Texas Brewing Co., Ft. Worth, Texas:—

"A meeting was held this morning by the finance committee and their report is very bad. They have not succeeded in raising over 50 per cent of what they hoped for and the result is discouraging. Since the day this thing started, he has been handicapped for money, and if the county is lost, it will be for want of money. The committee are now out hunting, and will report this pm. My obligations are with the speakers and outside workers, eight in all, who will absorb the amt we figured upon. I will be in Fort Worth Saturday am. If not taken to Austin previously, and we will fix up all matters finally. Heretofore, I have met every obligation promptly and am ready to meet others as they accrue. If I am not at Austin before Sat am. I will take a few days vacation and



go out of the State. Phone me on receipt of this if the arrangement will suit your convenience, and I will be governed accordingly." (TT-73.)

and on the next day Paget again wrote Weeden, as follows:

"The party I called about is the former official, well known here, he can do us lots of harm. We have at least prevented that by making the trade indicated. I have gone over matters carefully as possible, and find \$165.50 will cover all the expenses in addition to the amt originally named. This will not include the \$50, above indicated, adding which, you will see where we stand. If you desire itemized ex. acct. it will be furnished, and will wait your phone message in the morn. If one is needed, I will get receipts from all parties, but will not, except you desire it I am frank to say I do not think we can win. L. N. Brewster had a fight in front of his place yesterday, with one Water Whatley. W. had made many pro. votes Lord, the saloon man will never learn! All we can do is hope. I will call at 9:15 Saturday, as my work here will be done." (TT-73.)

On September 5, 1911, O. Paget again wrote Weeden as follows:

"Enclosed, please find receipt of Webster Wilson. He earned this: the glory of victory is his. The memo. given you has a list of the other expenditures. I would not be particular abt. this, but in view of the knockers, I think it due to myself. You will note I did not give any money to Mr. W. Well, as we expected, Amarillo went dry. This is the result of home management. The loss is inexcusable, and totally unnecessary. If I could have gone when called, the result would have been different, but I could not leave Palo Pinto County." (TT-73.)

The receipt referred to in the above is dated, Galveston, September 5, 1911, and reads as follows:

"Received from Fred Pennock \$50.00, services Palo Pinto County, (Signed) Webster Wilson." (TT-74.)

On September 2, 1911, the Texas Brewing Co., wrote W. J. Althans of the Anheuser-Busch Brewing Assn., St. Louis, saying:

"With very much less favorable showing in the State election than Navarro County, we won Palestine, Palo Pinto, and Tom Green counties. It is a guess, but some information I get leads me to see the possibility of gaining Corsicana." (TT-13.)

In September 1911, it was talked of calling a local option election in Dallas county. Efforts were made by the breweries to prevent the calling of the same. On September 21, 1911, J. E. Weeden of the Texas Brewing Co., Fort Worth, Texas, wrote B. Adoue of Galveston, Texas, as follows:

"Mr. Faust submitted a copy of his communication to you with reference to that Dallas clean-up, and I understand from Morgan in some of my telephone talks with him, that considerable good is being accomplished. The night previous to the meeting in Galveston, Mr. Morgan, Keeley, Faust, and myself had a conference in Dallas, wherein he read to us his communication to the citizens of Dallas with reference



to the stoppage of work on the Adolphus Hotel. During that conference, the names were sent up of Messrs. Sanger, Lipschitz, and Royal A. that Mr. Faust had an excellent opportunity to arouse the citizenship of Ferris, desiring to meet him, and suggestions for bringing about a relief were then fully discussed by us, especially Mr. Keeley, and it was agreed Dallas to a realization of the necessities. When, however, in the enthusiasm of our conversation as to Dallas, it was suggested by Mr. Faust and urged by him, that the same results might be brought about in other Texas cities, it was pointed out to him that unfortunately there were no million and half dollar investments projected by the brewing interests in the other cities. The particular situation in Dallas was dwelt upon by him—not only the fact of the very large amount of money—but the still further tremendous advertising feature of the movement, which rendered a stoppage of work such a crushing blow to Dallas, or any other city. Consequently, it was easy to arouse the Dallas citizenship to the point of taking an active interest in any movement that would look to the staving off of a county option election, and so induce the Busch interests to continue the construction of the hotel.” (TT-16-17.)

1912.

Intermeddling in local Affairs by “outsiders” appears to have been claimed by the *Breweries* as their exclusive right; this is indicated by the following statement by the San Antonio Brewing Association, in a letter to Bell & Cassidy, Valentine, Texas, 1-18-12:—

“We have your kind favor of the 15th inst., and note with sincere regret that you have been voted out of business. It is really a pity that the outside interests should be able to do this, that people in the country, who really have no interest in the affairs of Valentine should be able to do this, and it strikes us as being very unjust for we know what a nice, clean, orderly place you conducted.” (S-7068.)

(See-S-7296-7300.)

On August 2, 1912, Jeff McLemore of Houston, wrote to Zane Cetti of the Texas Brewing Co., soliciting a subscription to the capital stock of the State Topics, as follows:

“Cant I prevail on you to take a little stock in State Topics? I organized some time ago with a Capital of \$5000 and shares \$100.00 each. I have among my stockholders H. B. Rice, Mayor of Houston, John H. Kirby; J. S. Cullinan of the Texas Company; M. M. Phinney of the Stone-Webster Company; H. Prince; R. L. Autrey, Jonathan Lane; A. M. McFadden, President Texas Cattle Raisers Assn; and Wm. Doherty, Assistant General Manager of the Frisco. I only ask each to take a little stock, as I wanted to get it distributed as much as possible, and now if I can get you to take at least three shares, it will assist me very materially in getting paper on its feet. Texas needs such a paper as State Topics and I think our people ought to help it out. Col. Otto Wahrmond has promised to help out, but he hasn't done so yet, and what I need is help at the present time, as a little help now will mean far more than it might mean in a month or so hence. Please let me hear from you, and believe me, etc.

"P. S. State Topics, as its name implies, is a State paper, and by no means a local publication. I send this letter by registered mail, as letters sometimes miscarry or get lost." (TT-46.)

This request was declined by Mr. Cetti in a letter to Jeff McLemore of date August 8, 1912, for the reasons therein stated as follows:

"Your kind favor of recent date, soliciting stock subscription to "State Topics" duly received.

"The facts in this situation may not be thoroughly known to you; I will, therefore, particularize a little, so that you may see the matter from my view-point.

"The two concerns in North Texas have been sadly pushed during the last half dozen years, and, burning the candle at both ends as they have, are not in a condition to extend the fight beyond their own locality.

"In 1904, this company had 183 places of sale on 6000 miles of railroad; these 183 places were distributed on about 140 to 150 counties. Of this very fair business, but two counties remain:—to wit; Palo Pinto and Tom Green. An analysis of the various elections held during the last half dozen years shows very conclusively the reason for the drop of Forty Five per cent of our business, and, in addition, we are forced to the conclusion that the fight is by no means over. The expenses caused by this continuous agitation, taken together with the loss of business, present a most gloomy outlook, and nothing short of the severest retrenchment can maintain the northern Texas breweries in business.

"Things are not in this shape in the South; southern concerns are surrounded by far different elements of population, and have been able to continue a profitable and even increasing business during all the days of struggle ..." (TT-46-47.)

In 1912, there was a proposition to call a Local Option Election in McLennan County. It appears that W. J. Althans of the Anheuser-Busch Brewing Association, St. Louis, became somewhat interested in the local self government of McLennan County, for on August 23, 1912, he wrote J. E. Weeden, of the Texas Brewing Company of Fort Worth, Texas, about it as follows:

"Enclosed, find three clippings from the Waco Tribune, all of the same day.

"I had suggested to our friends down there that it would be more provocative of results to fight the Anti Saloon League than the Pros., and if the clippings referring to the Anti Saloon League had been accompanied by a rattling editorial, it would have been better. You will note that we have succeeded in inducing a number of good business men to put their names to remonstrate against local option election.

"If you think favorably, you might confer with Mr. Autrey with a view to rapping the anti saloon league." (TT-15.)

1913.

In a letter to Blum Bros., Temple, Texas, 3-14-13, the San Antonio Brewing Association says:—

"-----Considering freight rates of 24 cts., cold storage, and other expenses with which you are perfectly familiar, Local Option elec-



tions, etc. etc, so much so in fact that we thought seriously of taking you at your word and going out of that market.-----" (S-7426.)

And in a letter of November 19, 1913, to Fritz Haberlain, Pflugerville, Texas, the San Antonio Brewing Association, said:—

"-----You should remember the conditions which exist in our state at present, and the agitation which is going on in the connection with Local Option, and Prohibition, and the great expense to us involved therein, and try to aid us all that you can, instead of looking up additional expense." (S-7604.)

In a letter to Wm. Parchman, Kingsbury, Tex., 12-18-13, the San Antonio Brewing Association, said:—

"-----our expense has been something extraordinary on account of the present political conditions in our state due to Local Option and Prohibition agitation. We have had more than our share of this to contend with, and the worst feature is, considering present indications, that there is no telling just how long we will be permitted to remain in business!-----" (S-7639.)

In a letter to the *Yoakum Commercial Club*, Yoakum, Tex., 9-17-13, the Lone Star Brewing Company of San Antonio, Texas, said:—

"-----You furthermore are aware of the continuous trouble confronting us with regard to the prohibition question, and that our future existence in the brewery business is very uncertain, and we need every dollar which we can spare to fight our enemies-----" (L-558.)

### BRUHN TESTIFIES.

Henning Bruhn, General Manager of the Lone Star Brewing Co., on 9-1-15, testified as follows to the payments for Local Option purposes, made by the Lone Star Brewing Co., and San Antonio Brewing Association, independent of the Texas Brewers' Association since 1907:

"Question. There has been some testimony, Mr. Bruhn, as I recall it, to the effect that in addition-----that either in addition to or connection with this work of the brewers' association with local option elections in the territory of some of the breweries, that they would be looked after by them on some occasions, and settlements made with the association, or handled in some way that way. What was your practice about that?

Answer. From 1907, to 1911, that is, until Mr. Adoue's death, I would personally handle that out of my own personal funds.

Q. Did you have any particular district to handle it in?

A. Plenty of them.

Q. Sir?

A. Plenty.

Q. Well, did you have any limits; would it correspond with places where you were doing business?

A. Yes sir, most surely.

Q. That is the idea I had in mind.



A. Yes sir.

-- Q. After you would take care of it, would-----were you reimbursed by the Association?

A. No.

Q. Did you deduct that from the payments that went to the Association?

A. No.

Q. Then, these payments for local option elections were in addition to those payments you made to Mr. Adoue?

A. Surely.

Q. No account of them was taken in making your remittance to Mr. Adoue?

A. No.

Q. Do you know about what that amounted to, during the period of time you mentioned?

A. I don't know positively.

Q. What is your best recollection about it?

A. My best recollection those amounted all the way from \$8,000.00 to \$10,000.00 a year.

Q. Well now, to a certain extent the San Antonio Brewing Association does business in the same territory your company does, doesn't it?

A. Yes.

Q. Now, would this expense be divided with them?

A. No.

Q. Well, did they do the same thing?

A. I expect they did.

Q. Well do you understand at the time, Mr. Bruhn, that Mr. Wahrmund's people were doing the same character of work in your territory? Did Mr. Wahrmund ever tell you that?

A. In some instances, yes.

Q. What was your understanding at the time as to whether or not the San Antonio Brewing Association people were carrying on the same work, same sort of work in this same territory?

A. It happened in some instances where local option elections were called in a certain locality or precinct or county, and we were both-----the City Brewery and the Lone Star Brewery were doing business there, in those instances Mr. Wahrmund and I would confer about that matter." (Pages 39-41.)

1914. ✓ ✓

Neither race nor color, nor law, offered any insurmountable obstacle to the operation of Local Self Government by the Breweries. It appears that the Breweries, located in distant cities, determined for themselves that the people of Robertson County were not properly managing their own affairs in 1914 and that there should be a Local Option Election. X Having determined that these people should have an election, they found certain work that should be done among the negroes; having found the work, they had ready the man to do it. (A) The Friedlander mentioned in the letter following, from G. H. Luedde, Waco, Manager for August A. Busch & Company, to the American Brewing Association, Houston, 7-

14-14, is one Issie Friedlander, of Waco,—some reference to whom will be found in the evidence offered under the subject "POLL TAXES;" the letter follows:

*here* "In reply to your letter of the 13th, would state that I would suggest that you immediately write the parties mentioned in your letter and ask them for a contribution and a good, liberal one at that, because it is going to take money to win the Robertson County Election.

"There are 600 negroes who will have to be brought to the polls and it will take more time to hunt them up; men will have to be put to work at once to locate them, and besides that the majority will have to be hauled to the polls on election day. Outside of this there is a great deal of other work to do, and I suggest that you make this plain to these different people.

"The parties named hereto ought to pay at least \$100 each in order to help with this campaign and it will be well for you to state to them the work that will have to be done.

"I would state further that I have arranged with Mr. Friedlander, who you possibly know by reputation and who has had considerable experience in this kind of work and is now assisting in the campaign headquarters of Ferguson, to meet all of the saloon men of Robertson County at Bremond next Sunday, and also some of the interested workers, men who they are figuring on for Chairman, Secretary, etc., and it will be well enough for you to have a representative present, and also Mr. Burnett, who you state formerly lived at Calvert, and possibly would be a good man to assist in this work.

"We have thought it best to not do any active campaign work until the primaries are over, but to have everything ready the day after the primaries are over to go to work on this campaign with a vim; the mailing matter and everything ready to send out and then put several speakers in the field. Possibly at the meeting next Sunday we can arrange for some man who will go to work immediately looking up all the colored voters, seeing where they are so we will have them ready when we need them.

"Mr. Friedlander has had considerable experience in this work, and whereas he will not be in the foreground—expect the home people to push to the front—but he will be right behind them and see that the work is done because he knows how to do it. I consider him one of the best men in the state of Texas in this line of work.

"I would be glad to hear from you with any suggestions because we all want to work in perfect harmony and win this fight. We cannot afford to lose it." (A-3870.)

In the election referred to in the letter above, the people of a part of Robertson County adopted Local Option,—despite the Breweries and their 600 niggers, and notwithstanding the fact that they had *said* Issie Friedlander, "one of the best men in the State of Texas in this line of work," to "hunt up" and haul the niggers to the polls. But in thus determining their own affairs, it appears that the people of Robertson County grievously offended the Breweries' conception of Local Self Government, for they set about to contest the election and thus to correct the People's mistaken judgment of the way to handle local matters, as is



indicated by the following letter from G. H. Luedde, Waco, Texas, to the American Brewing Association, Houston, 10-16-14:

"Your letter at hand, and in reply would state that I have taken this matter up with our attorney, and it is impossible to make any such arrangements as Mr. Kahn and Mr. Cohen are figuring on. The county in question has not any more territory than the law allows it. With one of the southern counties, where their territory is large, some such arrangements have been made, but it would be impossible in this county.

"Now we have our attorney and also one of the attorneys from Franklin today in Waco conferring upon what can be done if possible, to knock out this election. If it is possible for us to do it, and can keep it knocked out until after the election in November, we may be able to hold this county in line. Otherwise it is going to go dry; in other words if we can not stop this election, they will vote Bremond and the other precincts dry, and then immediately call an election for Hearne in connection with some of the other precincts, and vote it dry, and that will be the end of Robertson County.

"I will keep you posted as to what we are doing, and hope that we will be able to find a loop hole to win." (A-3913.)

Neither does the fact that a man is "a professional fakir, a grafter" offer any disqualification for his representation of the *Breweries* in their self-assumed task of regulating the local affairs of the citizens of the various counties; on the other hand, this sort of man was indispensibly necessary to represent the *Breweries* in the Robertson County Election, and elsewhere, as is shown by the following letter from G. H. Luedde, Waco, Texas, to H. Prince, American Brewing Association, Houston, Texas, 7-17-14: ✕

"The letter to Capt. Paget received, also I had a letter from him myself, this morning Mr. Althans sent me from St. Louis. You know this fellow is a professional fakir, a grafter. He beats anything I ever saw, but on the other hand, we will have to use him when the time comes but it is too early to commence giving him money now.

"Capt. Paget knows how to work him. Tell him to hold him off but do not state we are waiting until the primaries are over before having this election because we do not think that is any of his business, but as I wrote you several days ago it is to our interest to wait until the primaries are over, and then make a red hot campaign in Robertson county and win the fight if possible.

"I hope that you will succeed in raising some money among the friends that you have written to." (A-3875.)





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